

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. NO. D-4596 / 2025

Date	Order with signature of Judge
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Present:
Mr. Justice Adnan Iqbal Chaudhry
Mr. Justice Muhammad Jaffer Raza

Petitioners : Mir Muhammad Nasir & Others
through Ahmed Hussain, Advocate.

For Respondents : Federal Board of Revenue & Others,
Through Mr. Faheem Ali Memon,
Advocate.
Ms. Rabia Khalid, Assistant Attorney
General

Date of hearing : 22-10-2025

Date of order : 22-10-2025

ORDER

Adnan Iqbal Chaudhry, J. - The Petitioners have challenged recovery notice dated 05.09.2025 issued to them under Section 139 of the Income Tax Ordinance, 2001, requiring them to pay tax payable by the company (Respondent No. 4) of which they are Directors. Learned Counsel for the Petitioners submits that they had ceased to be the Directors of the Company in or before 2016, whereas, the tax liability is for tax year 2018. Regards the Petitioners No. 1, 3 & 4 as Form 9 filed by the Company with SECP shows they retired as Directors in 2016. As regard Petitioner No. 2, it is submitted that he had retired much before 2016. Learned Counsel for the department does not dispute these facts. He states that such fact was not updated by Petitioners in the data base of FBR as required by Rule 82 of Income Tax Rules 2002.

Be that as it may, since the department is not disputing the fact that the Petitioners were not Directors of the company during tax year 2018 for

which the impugned notice of recovery has been issued, they cannot be held liable for the tax payable by the Company for such year. Resultantly, the impugned recovery notice dated 05.09.2025 against the Petitioners is set-aside. Petition stands allowed accordingly.

J U D G E

Arshad/

J U D G E