

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

ITRA 199 of 2018
ITRA 200 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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- 1. For orders on office objection No.25.
- 2. For orders on CMA No.180/2019.
- 3. For hearing of main case.

10.11.2025

Mr. Faheem Ali Memon, advocate for the applicant.

On the last date, following order was passed:

“03.11.2025

Mr. Faheem Ali Memon advocate for the applicant

The impugned order holds as follows:

- 22. In view of the above, following the binding judgements of the Honorable Supreme Court of Pakistan and Honorable Sindh High Court and particularly the decisions of this Tribunal in other similar cases, we hold that the Super Tax under section 4B was not applicable on dividend income and capital gains of the appellant as such imposition results in tax incidence beyond the limits prescribed in the DTT which overrides domestic tax law. However, with regard to Bonus Shares received by the appellant in Tax Year 2015, which are not covered by the DTT, Super tax has to be applied in accordance with the provisions of section 4B. The ACIR is directed to modify his orders in line with the above findings to recompute the revised tax liability the appellant in respect of items of Pakistan sourced income other than dividend and capital gains.

Learned counsel is confronted that in view of the binding law cited in the impugned judgment how can the present reference application be entertained as prima facie no question of law remained to be addressed. He seeks time to obtain instructions. At his request these matters are adjourned to 10.11.2025.

Office is instructed to place copy of this order in connected matter.”

Today learned counsel remains unable to assist. In view of the observations recorded supra, these reference applications are dismissed.

A copy of this decision may be sent under the seal of this Court and the signature of the Registrar to the learned Appellate Tribunal, as

required per section 133(8) of the Income Tax Ordinance, 2001. Office is instructed to place copy hereof in the connected file.

Judge

Judge

Khuhro/PS