

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No.NIL of 2017

Date **Order with signature of Judge**

M/s. Anwar Engineering
Works (Pvt) Limited.....vs.....Fed. of Pak. & others

- 1.For orders on CMA No.9567/2017.
- 2.For orders on CMA No.9440/2017.

14.06.2017

Syed Irshad-ur-Rehman, Advocate for the Plaintiff.
Mr. Muhammad Aqeel Qureshi, Advocate for
the Defendant Nos.3 & 4.
Mr. Masood Hussain Khan, Assistant Attorney General.
Mr. Waqas Ali, Law Officer, Bank Al-Habib
Limited/Defendant No.5.

Mr. Muhammad Aqeel Qureshi, Advocate filed vakalatnama for the defendant Nos.3 & 4. In the first round one representative of the defendant No.5 namely Waqas Ali, Law Officer was present and the matter was kept aside for filing vakalatnama of the defendant Nos.3 and 4. When the matter was taken up after ten minutes, the representative of defendant No.5 (President, Bank Al-Habib Limited) is called absent. The case of the plaintiff is that against the order in original No.10/2017 the plaintiff has filed appeal before the Commissioner Inland Revenue (Appeals-III), Karachi alongwith stay application. The learned counsel argued that despite making hectic efforts, the appeal and the stay application could not be fixed for hearing to an early date but in the meanwhile the defendant Nos.3 and 4 issued notice to thirty financial institutions under Section 48 of the Sales Tax for the attachment of bank accounts equivalent to the amount of tax demand. The learned counsel for the defendant Nos.3 and 4 proposed that the appeal of the plaintiff will be decided within a period of one month and in

the meanwhile the defendant Nos.3 and 4 will not make recovery of tax demand from the attached accounts being operated by the plaintiff in the Bank Al-Habib Limited/defendant No.5. The learned counsel for the plaintiff is agreed on this proposal. The suit is disposed of in the following terms:

1. The pending appeal will be decided within a period of one month after providing ample opportunity of hearing to the plaintiff's representative.
2. Till such time the appeal is decided the accounts of the plaintiff with defendant No.5 will remain attached but no recovery shall be made till the decision of the appeal and the learned counsel for the defendant Nos.3 and 4 also undertakes that no coercive action shall be taken against the plaintiff till their appeal is decided by the Commissioner Inland Revenue (Appeal-III), Karachi.

Pending applications are also disposed of.

Judge

Asif