

ORDER SHEET  
HIGH COURT OF SINDH AT KARACHI

**Suit No.1238 of 2017**

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DATE            ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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For hearing of CMA No.7865/2017

22-08-2017

Mr.Ovais Ali Shah, Advocate for the Plaintiff  
Mr.Ameer Bukhsh Metlo, Advocate for the Defendant No.3

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The plaintiff has approached this court that despite pendency of appeal before the Commissioner Inland Revenue (Appeals-I), Karachi the department is pressing hard for recovery of demand, whereas the appellate forum is neither deciding the appeal nor the stay application. Notice was issued to the defendants and as an interim measure the court ordered that no coercive action shall be taken against the plaintiff. Today, learned counsel for the plaintiff argued that he will not press the suit if learned counsel for the defendant No.3 will concede to that till the decision of appeal the demand shall not be pressed against the plaintiff and if the order of the appellate forum goes against the appellant, then seven days' time will also be available to seek appropriate remedy. The learned counsel for the defendant No.3 has no objection to this proposal, however, he submits that some directions may be issued to the appellate authority to decide the appeal within 30 days. By consent the suit is disposed of along with pending application accordingly.

Judge

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