

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
**Suit No.1179 of 2017**

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Date	Order with signature of Judge
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For hearing of CMA No.7449/2017

**03.10.2017**

Mr.Sufyan Zaman, Advocate for the Plaintiff  
Mr.Ameer Bux Metlo holding brief for Mr.Sarfraz Ali Metlo,  
Advocate for the defendant No.3

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It is admitted that appeal is pending before Commissioner Inland Revenue (Appeals-III), Karachi. During pendency the Department initiated recovery proceedings, therefore, the plaintiff had approached this court for some restraining order. Mr.Ameer Bux Metlo holding brief for Mr.Sarfraz Ali Metlo, Advocate for the defendant No.3 has proposed that the suit may be disposed of on the condition that during pendency of appeal the Department will not take any coercive action against the plaintiff. The counsel for the plaintiff agrees with this proposal, however, he added that if the appellate order goes against the plaintiff then at least 07 days' time may also be allowed to seek appropriate remedy in accordance with law. On which learned counsel for the defendant No.3 has no objection. The suit is disposed of along with pending application accordingly. However, the appellate authority may decide the appeal preferably within one month.

Judge