

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

Suit No.928 of 2017

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

Present:
Mr.Justice Muhammad Ali Mazhar.

**Reliance Petrochem
Industries (Pvt.) Ltd.....Plaintiff.**

Versus

Federation of Pakistan & others.....Defendants.

18-04-2017

Mr.Ovais Ali Shah, Advocate for the Plaintiff
Mr.Jawahir Lal, Director of the plaintiff is also present.
Mr.Muhammad Aqeel Qureshi, Advocate for the
defendant No.3 and alleged Contemnor.
Mr.Abdul Qadir Leghari, Asstt.Attorney General
Ms.Hina Akram, Commissioner Zone-II, CRTO and
Mr.Zulfiqar Ali Khokhar, Audit Officer, CRTO are also
present.

Muhammad Ali Mazhar, J: This is a suit for declaration,
injunction and damages. On 12.4.2017 the injunction
application was fixed for orders. Learned counsel for the
plaintiff argued on the behest of the defendant No.3 on
7.11.2017 raids were conducted at the premises of the
plaintiff situated at FC-1, Eastern Industrial Zone Port
Qasim and on 11.4.2017 at the warehouse of the plaintiff
situated at plot No.48, West Wharf.

2. The crux of the arguments of the plaintiff was that no
authorization letter or notice was placed before plaintiff
as to whether this raid was authorized by Commissioner
or not. He had further argued that there was nothing
pending against the plaintiff for which raids were

conducted and the entire action was based on mala fide of the department. As in interim measure the court directed that no coercive action shall be taken against the plaintiff on account of aforesaid raids.

Yesterday, learned counsel for the plaintiff filed contempt application in which he complained that the defendants have blocked his Sales Tax Registration Number (STRN) despite interim orders. Notice was issued to the alleged contemnors for today.

3. Today, Mr. Muhammad Aqeel Qureshi, Advocate has filed Vakalatnama for defendant No.3 as well as alleged contemnor Ms. Hina Akram, Commissioner Zone-II, CRTO. The Commissioner Zone-II, CRTO submits that the interim orders passed on 12.4.2017 was not in her knowledge, therefore, plaintiff's STRN was blocked. They undertake that the STRN of the plaintiff will be removed from suspension today during office hours. The officers also placed on record a notice dated 9.3.2017 which was issued to 05 different companies including the plaintiff. Mr. Jawahir Lal, Director of the plaintiff submits that no notice was ever served on the plaintiff's office. Learned counsel for the plaintiff submits that if the department has any query regarding stock, inventory or the production they may issue notice and the plaintiff will produce all relevant documents for further proceedings in accordance with law. The officers present in court submit that in order to proceed further notice will be issued to the plaintiff under Section 25 and or 37 of the Sales Tax Act and they will also provide ample opportunity to the plaintiff in accordance with law.

4. The learned counsel for the plaintiff agreed to this statement, however, he submits that on earlier visits some ledgers were taken away by the department. In case any notice is issued for production of any such document which is already in possession of the Income Tax Department, the plaintiff will highlight the same in reply to the notice.

5. The suit along with pending applications is disposed of in the above terms.

Judge

ns