

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.374 of 2018

Date	Order with signature of Judge
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For hearing of CMA No.2755/2018

06-03-2018

Mr.Khalid Jawed Khan, Advocate for the Plaintiff.
Mr.Ameer Baksh Metlo, Advocate for Defendant No.2
Mr.Umer Zad Gul, D.A.G.

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On the last date Mr.Aqeel Qureshi, Advocate undertook to file Vakalatnama for defendant No.2, but today Mr.Ameer Baksh Metlo, Advocate has filed Vakalatnama for Defendant No.2. He has gone through the Order dated 21.2.2018. In this case in both appeals filed by the plaintiff before learned Inland Appellate Tribunal arguments have been heard and order is reserved and learned Tribunal passed the interim order against the recovery proceedings. Paragraph 5 of the order was also reproduced in this court's interim order granted on 21.2.2018. Counsel for the plaintiff also cited an order of Lahore High Court in the case of **Sun-Rise Bottling Company (Pvt.) Ltd. v. Federation of Pakistan & others** reported in **2006 PTD 535** in which almost similar controversy was involved.

Mr.Ameer Baksh Metlo, Advocate for Defendant No.2 submits that till the decision of the appeals the Department will not initiate recovery proceedings against the plaintiff, on which counsel for the plaintiff is satisfied, but he submits that if the appellate order goes against the plaintiff then at least 07 days may be allowed to the plaintiff to seek appropriate remedy, on which also Mr.Ameer Baksh Metlo, Advocate for Defendant No.2 has no objection. The suit is disposed of along with pending application. At this juncture, Mr.Ameer Baksh Metlo, Advocate for Defendant

No.2 requests that some directions may be issued to the learned Inland Appellate Tribunal to decide the appeals. Since the appeals have already been heard and orders are reserved, therefore, the court expects that the orders will be announced soon.

Judge

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