

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
Suit No.2635 of 2017

Date Order with signature of Judge

For hearing of CMA No.17699/2017

29-03-2018

Mr.Ovais Ali Shah, Advocate for the Plaintiff
Mr.Ameer Bakhsh Metlo, Advocate for the Defendant No.4

It is admitted that against the order passed by defendant No.4 the appeal is pending before Commissioner (Appeals-II), Zone-II, Large Taxpayers Unit, Karachi (defendant No.3). During pendency of appeal the Department has initiated recovery proceedings, therefore, the plaintiff has approached this court for some restraining order. Mr.Ameer Bakhsh Metlo, Advocate for the Defendant No.4 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.4 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