

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Suit No.1784 of 2016

Date **Order with signature of Judge**

For hearing of CMA No.11425/2016

03.04.2018

Mr.Ali Aziz, Advocate for the Plaintiff.

Ms.Masooda Siraj, Advocate for the Defendant No.3

Ms.Fouzia Rasheed holding brief for Mr.Sohail Muzaffar, Advocate for the Defendant.

Mr.Ameer Bukhsh Metlo holding brief for Mr.Sarfraz Ali Metlo, Advocate for the Defendant No.5

Learned counsel for the plaintiff pointed out the order dated 15.8.2016 which reflects that when the suit was filed the matter was pending before Chief Commissioner Inland Revenue which was heard and reserved, but in the meanwhile, recovery notice was issued on 05.08.2016 therefore, the plaintiff approached this court for interim order. While issuing notice to the defendants this court suspended the operation of impugned notice dated 05.08.2016. Learned counsel argued that during pendency of this suit the Chief Commissioner Inland Revenue decided the revision application and remanded the matter to the Commissioner Inland Revenue where presently the case is pending. He proposed that if during pendency of the matter before Commissioner Appeals, the Tax Department will not take any coercive action then he will not press this suit. Ms.Masooda Siraj, Advocate for the Defendant N.o.3 agrees to this proposal that till the decision of the matter by the Commissioner Appeals, the Tax Department will not take any coercive action. It is further ordered that if the order goes against the plaintiff then 07 days' time will be available to seek appropriate remedy in accordance with law.

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

Judge

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