

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P. No.D-2985 of 2017**

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Date	Order with signature of Judge
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Hearing / Priority Case:

1. For order on CMA No.16814/2018 (Urgent).
2. For hearing of CMA No.20218/2017.
3. For hearing of Main Case.

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**16<sup>th</sup> May, 2018**

Mr. Muhammad Kaukab Sabahuddin, Advocate for  
Petitioner.

None present for the respondents.

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Though the power of Mr. Kafeel Ahmed Abbasi Advocate is available in the Court's file for the Commissioner, Inland Revenue Service, Zone-I, RTO-III, Karachi, but he is called absent.

Learned counsel for the petitioner argued that the appeal of petitioner is pending before the Appellate Tribunal Inland Revenue for the tax year 2013 and during pendency of the appeal, the respondents were pressing hard for the recovery of the impugned demand by adopting coercive measures. The petitioner had also moved an urgent application with stay application to the learned Tribunal Inland Revenue, but the urgency was not granted, therefore, he approached this Court through this Constitution Petition for seeking some restraining order.

On 11.05.2017 when this petition was fixed the learned Division Bench of this Court while issuing notices to the respondents as an interim measures passed order that till next date of hearing respondents shall not

enforce the recovery of the impugned demand. It was further mentioned in the order that the Chairman Appellate Tribunal, Inland Revenue, Islamabad may consider the case of the petitioner including urgent hearing of stay application at an early date and appropriate order may be passed.

Learned counsel for the petitioner states at the bar that despite passing the aforesaid order, application for stay was not considered by the learned Chairman Appellate Tribunal, Inland Revenue.

This petition is disposed of with the directions that till the decision of the appeal by the learned Appellate Tribunal Inland Revenue no coercive action shall be taken against the petitioner.

**J U D G E**

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