

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

C.P No.D-2869 of 2015.

Date Order with signature of Judge

Priority Case

-
1. For hearing of Misc. No.13080/15.
 2. For hearing of Main Case.
-

18-12-2015.

Mr. Amjad Javaid Hashmi, Advocate for the Petitioner.
Mr. Atifuddin, Advocate/Consultant Legal along with Syed Zainul
Abdin Shah, Deputy Commissioner, Sindh Revenue Board.
Mr. Mustafa Mahesar, AAG.

Learned Counsel for the petitioner after arguing the matter at some length regarding challenge of vires of certain provisions of the Sindh Sales Tax on Services Act, 2011, submits that since during pendency of this petition an Order-in-Original dated 29.05.2015 has been passed, the petitioner would not press instant petition, and will raise all such legal objections before the appellate authority, if this Court allows and permits the petitioner to file an appeal against such order by condoning limitation period.

In the circumstances we while dismissing the instant petition as not pressed, leave it open for the petitioner to file an appeal against the said order within 7 days hereof and raise all such legal objection(s) along with an application for condonation of limitation, which shall be considered sympathetically by the concerned Commissioner (Appeals), Sindh Revenue Board, considering the peculiar facts including Order dated 07.07.2015 whereby this Court had been pleased to stay recovery of demand created through the Order-in-Original passed during the pendency of instant petition. Petition stands dismissed in the above terms.

Chief Justice.

Judge