

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

Suit 1828 of 2016

Date	Order with signature of Judge(s)
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1. For orders on Nazir report dated 20.11.2018
2. For final arguments

25.10.2024

Mr. Jam Zeeshan, advocate for the plaintiff
Mr. Muhammad Aqeel Qureshi, advocate for defendants No.3 and 4
Mrs. Masooda Siraj, advocate for the defendant No.5
Ms. Alizeh Bashir, Assistant Attorney General

On 27.09.2024, the following order was passed :-

Jam Zeeshan advocate states that controversy in this suit pending since 2016 was with respect to exemption of advance income tax with respect to tax year 2017. Counsel states that irrespective of the fate of exemption, once the return was filed for the said tax year, issue became wholly infructuous. He states that under such circumstances, the suit ought to be disposed of and the security placed may be returned to the plaintiff.

Mr. Muhammad Aqeel Qureshi, counsel for the department seeks time to confirm and obtain instructions. To come up on 04.10.2024.

In pursuance thereof a written statement has been filed on behalf of defendants No.3 and 4 (department) on 11.10.2024. Paragraph 5 thereof states as follows :

In light of above order us 124/129 of the Ordinance, there is no pending liability for the said year, Moreover, as stated earlier, all liabilities, if any on part of the petitioner stood disposed off upon filing of the Return filed by the petitioner for Tax Year 2017. Hence, the department has no objection to the return of the above-mentioned bank guarantees to the petitioner at amounting to Rs.7,440,000/- deposited against adjustable taxes in the relevant Tax Year i.e. 2017.

In pursuance hereof it is jointly stated by the respective learned counsel that the suit may be disposed of accordingly and the entire amount secured by the plaintiff may be returned thereto. Order accordingly.

Judge

Amjad