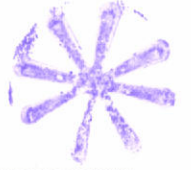


ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. NO. D- 4672 of 2021



Date _____ Order with signature of Judge _____

Priority.

1. For hearing of CMA No.19183/2021
2. For hearing of main case.

05.08.2021.

Mr. Taimoor Ali Mirza, Advocate for the Petitioner
Mr. Mukhtiar Ali Junejo, Assistant Attorney General.

Mr. Irfan Mir Halepota Advocate files Vakalatnama on behalf of respondent which is taken on record.

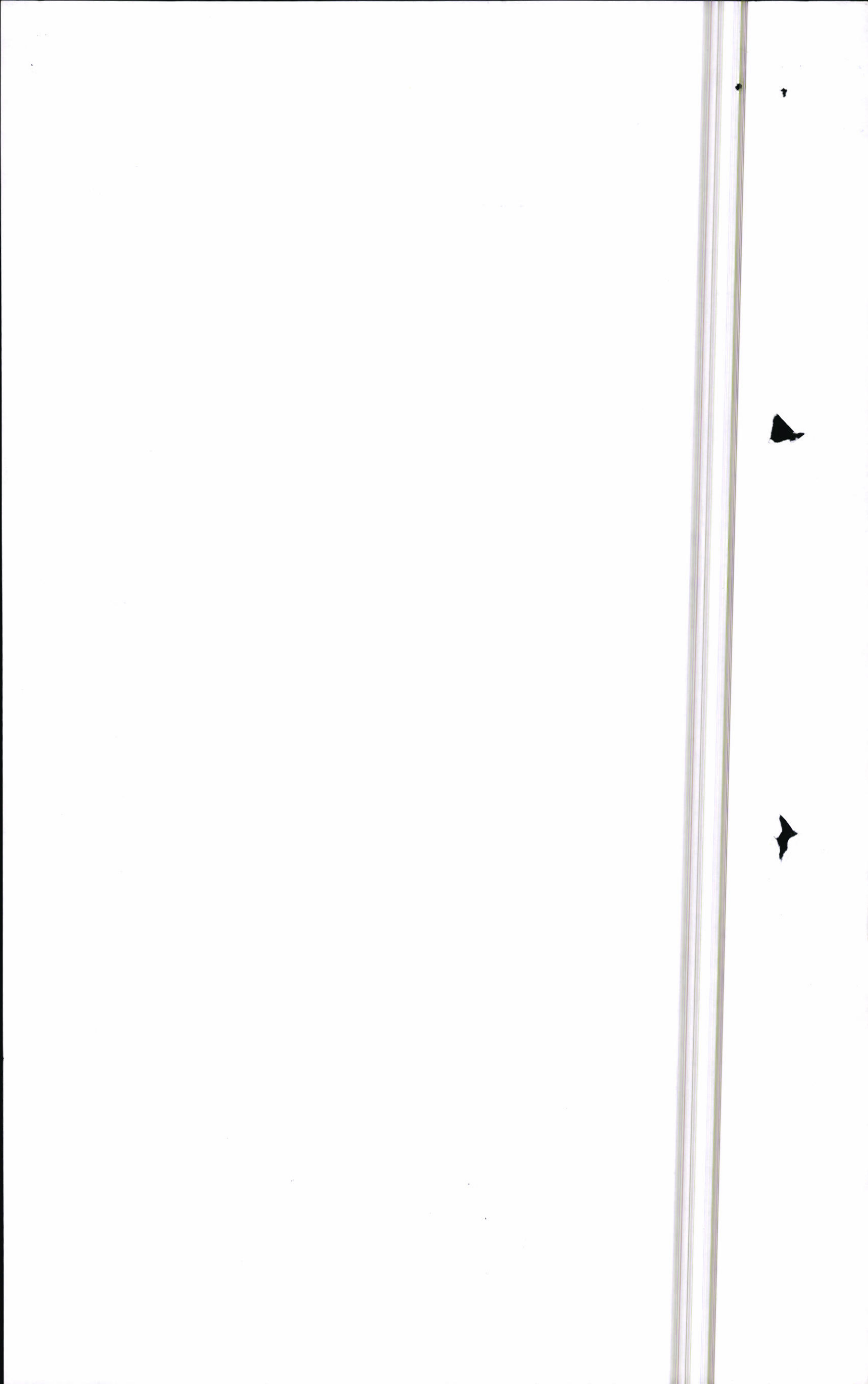
This Petition was filed by impugning the recovery proceedings initiated by the Respondent Department during the pendency of the Appeal before Appellate Tribunal Inland Revenue (Income Tax), Karachi. Learned Counsel for the Petitioner submits that similar type of cases have already been disposed of with directions to the Appellate Tribunal Inland Revenue (Income Tax), Karachi to decide the pending Appeal of the Petitioner, to which the learned counsel for respondent concedes.

Accordingly, this Petition is disposed of by directing the Appellate Tribunal Inland Revenue (Income Tax), Karachi to decide the pending Appeal preferably within 60 days from passing of this order, whereas, till the Appeal is finally decided by the said Appellate Tribunal; the Respondent / Department shall not take any coercive action against the Petitioner.

Petition stands disposed of in the above terms with listed application(s).

JUDGE

JUDGE



**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-4672 of 2021

Date	Order with signature of Judge
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1. For orders on Misc. 19181/21
2. For orders on Misc. 19182/21
3. For orders on Misc. 19183/21
4. For hearing of main case

Dated: 02.08.2021

Mr. Taimoor Ali Mirza for petitioner.

- 1) Granted.
- 2) Granted subject to all just exceptions.

3&4) Petitioner claims to have availed statutory remedy by filing an appeal before respondent No.3 i.e. Appellate Tribunal, Inland Revenue. It is contended that since the appeal is pending and unless such remedy is exhausted, recovery process should not have been triggered. He submits that petitioners have faced a situation where a demand notice has been issued and they apprehend that respondents may at any time recover the amount during pendency of the appeal. Let notice in this regard be issued to respondents as well as DAG for 05.08.2021, to be taken up at 11:30 a.m. In the meantime the no coercive action be taken against the petitioner.


Judge


Judge

Priority

1) In H.C. (MA N. 19183/21 (stay))
2) In H.C. of Main Case

Notice Issued

