

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

CP No.D-4574 of 2021

Date	Order with signature of Judge(s)
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1. For hearing of CMA No.18825/2021.
2. For hearing of main case.

03.08.2021

Mr. Atir Aqeel Ansari, advocate and Mr. Muhammad Ajmal Khan, advocate for the petitioner.

Mr. Khaleeq Ahmed, Deputy Attorney General and Mr. Mukhtiar Ahmed Junejo, Assistant Attorney General.

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

Accordingly, this Petition is disposed of by directing the Commissioner Inland Revenue (Appeals), 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 Commissioner; the Respondent / Department shall not take any coercive action against the Petitioner.

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


JUDGE

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-4574 of 2021

Date	Order with signature of Judge
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1. For orders on Misc. 18823/21
2. For orders on Misc. 18824/21
3. For orders on Misc. 18825/21
4. For hearing of main case

Dated: 27.07.2021

Mr. Atir Aqeel Ansari 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 Commissioner Inland Revenue along with interim application. It is contended that since the appeal is pending and unless such remedy is exhausted, recovery process should not have been triggered. He apprehends 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 03.08.2021, 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 on CMA No 18825/21 (stay)
2) In H of Misc. Case
Noted/Issued,