

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
Income Tax Reference Application Nos. 188, 189, 190, 191, 192 of 2006  
ITRA Nos. 638, 639, 640, 641 & 642 of 2010

Date

Order with signature of Judge

**Fresh Case.**

- 1) For hearing of CMA No. 525/2023.
- 2) For hearing of main case.

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**08.09.2025.**

Mr. Altamash Arab, Advocate for Applicants / NBP.

Mr. Faheem Ali Memon, Advocate for Respondent.

All these Reference Applications have been filed by the National Bank of Pakistan against Orders dated 15.04.2005 and 24.02.2010 passed by the Appellate Tribunal in ITA No. 1857/KB of 2001 & other matters. NBP is a State Owned Enterprise in terms of State Owned Enterprises (Governance and Operation) Act, 2023 and pursuant to Section 134A of the Income Tax Ordinance, 2001 a mechanism has been provided for State Owned Enterprises ("SOE") to approach FBR in respect of adverse orders passed by the Inland Revenue Department. The most significant and the relevant amendment made, which in our view is fully applicable to the present Applicant, is that now it is ***mandatory*** for SOE to go for ADR, whereas the limit of Rs. 50 Million is also not applicable.

It further appears that the Honourable Supreme Court has referred all such matters of SOE's to Alternate Dispute Resolution Committee through various orders passed in **Civil Petition No. 2106 of 2024** (***Commissioner Inland Revenue, Corporate Zone, Regional Tax Officer, Islamabad v. M/s Islamabad Electric Supply Company Limited, (IESCO), Islamabad***), Civil Appeals No. 649, 650, 651, 652 of 2022 (***M/s. State Life Insurance Corporation of Pakistan v. The Assistant Commissioner of Income Tax, Karachi & others***) and Civil Petition Nos. 886-K, 887-K and 888-K of 2023 (***M/s. Trading***

***Corporation of Pakistan v. The Commissioner of Income Tax, Karachi).***

In view of such position, these matters are disposed of, whereas, in terms of Section 134A of the Income Tax Ordinance, 2001, matters stand referred to FBR to form a Committee as required under the new amended provision and till such time the matter is finally decided by the said Committee, no coercive measures be adopted against the Applicant for recovery. Once a decision has been given by the Committee, the Applicant, if aggrieved, may seek further remedy, if so available in accordance with law.

With these observations, all these Reference Applications are hereby disposed of. Office to place copy of this order in the connected cases.

**CHIEF JUSTICE**

**J U D G E**

Ayaz