

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

Special STRA 274 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objections No.25 & 26.
2. For hearing of CMA No.1589/2022.
3. For hearing of main case.

**30.10.2025**

Mr. Nadir Hussain, advocate holding brief for Mr. Irfan Mir Halepota, advocate for the applicant.

Mr. Muhammad Salman Dosani, advocate files Vakalatnama on behalf of respondent, same is taken on record. On the last date, following order was passed:

**“16.10.2025**

Mr. Irfan Mir Holepota, advocate for applicant.

Learned counsel presses the following questions of law for determination:-

- i. Whether under the facts and circumstances of the case, the learned Appellate Tribunal Inland Revenue Karachi was justified to hold that input tax claimed by the registered person against the purchases of building material was not inadmissible under section 8 and SRO 490(I)2004 dated 12-06-2004?
- ii. Whether in the facts and circumstances of the case, the learned Appellate Tribunal Inland Revenue was justified to allow the relief to registered person who has adjusted input tax on account of building material against taxable supplies in violation of section 8(1)(h) of the Sales Tax Act, 1990?

Notwithstanding the forgoing, learned counsel states that the impugned judgment is devoid of any independent reasoning and / or discussion. He states that while the relevant SRO has been reproduced, the conclusion has been arrived at without deliberation and *prima facie* contrary to the very provision of law relied upon.

Admit reference; notice to the respondent through first two modes as well as courier. Learned counsel is directed to place on record tracking report; to come up on 30.10.2025. In the meanwhile, operation of the impugned judgment dated 31.01.2022 passed in STA No. 391/KB/2014 is suspended.”

Today counsel for the respondent states that it may be just and proper to set aside the impugned order and remand the matter to the Appellate Tribunal for adjudication afresh in accordance with law, preferably within two months. He further seeks that pending the aforesaid, no coercive action arising here from be taken against the respondent.

Counsel for the applicant has no objection in such regard and states the reference application may be disposed of in the said terms. Order accordingly.

A copy of this decision may be sent under the seal of this Court and the signature of the Registrar to the learned Appellate Tribunal, as required per section 47(5) of the Sales Tax Act, 1990.

Judge

Judge