

ORDER SHEET.
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No.1509/2020

Shahbaz Zaheer

Versus

Assistant Commissioner Inland Revenue, Islamabad, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
(1)	08.6.2020.	Ch.Naeem ul haq, Advocate for Petitioner..

Through this writ petition, the Petitioner has prayed for issuance of direction to respondent No.1 not to issue any recovery notice till the decision of his pending appeal with respondent No.2 i.e Commissioner Inland Revenue, Islamabad.

2. Learned counsel for the petitioner *interalia* contends that appeal of the Petitioner is pending before Respondent No.2 i.e Commissioner inland Revenue, Islamabad and restraining order was not passed, therefore, he approached this Court through W.P.No.1094/2020 which was disposed of vide order dated 08.4.2020 with the direction to respondent No.2 to decide the appeal of the Petitioner within 60 days and till then no coercive measures shall be adopted against the Petitioner for recovery of disputed tax liability. It has further been contended that despite direction of this Court, appeal has not yet been decided and time of 60 days granted by this Court for decision of pending appeal has already been expired, hence this writ petition.

3. While considering the case law reported in case titled **M/s Pak Saudi Fertilizers Ltd Versus Federation of Pakistan (2002 PTD 679), Z.N.Exports Private Limited Versus Collector of Sales Tax (2003 PTD 1746) and Brothers Engineering Private Limited Versus Appellate Tribunal Sales Tax (2003 PTD 1836)**, instant writ petition stands ***disposed of*** with direction to Respondent No.2 to decide the appeal of the Petitioner within 60 days i.e on or before 08-08.2020 and till then no coercive measures shall be adopted against him for recovery of disputed tax liability.

**(MOHSIN AKHTAR KAYANI)
JUDGE**

M.S.Zaki