

IN THE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

Present:

Mr. Justice Iftikhar Muhammad Chaudhry, HCJ.
Mr. Justice Jawwad S. Khawaja
Mr. Justice Khilji Arif Hussain

CMA Nos.2243 & 3683 of 2012

IN

Suo Motu Case No.16 of 2010

(Progress report on behalf of NAB & FBR in last Containees Case)

On Court's Notice:

For NAB: Mr. Fauzi Zafar, Addl. PG, NAB
Mr. Shahzad Anwar Bhatti DG, NAB

For FBR: Dr. Rana M. Shamim, ASC for FBR.

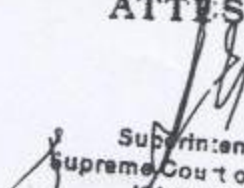
For aggrieved officers: Qazi Muhammad Anwar, Sr. ASC

Date of Hearing: 25.09.2012

ORDER

Neither the NAB nor the FBR have submitted satisfactory reports in respect of criminal probe against the culprits involved in the evasion of tax and adjudication process in pursuance whereof the outstanding duty has to be recovered. However, we adjourn this case to 1st October, 2012 enabling both the departments to put up comprehensive reports showing the implementation of the orders of this Court in letter and spirit. Needless to observe that this Court has observed earlier that if no stay order is operating against any tax-evader, the authorities responsible for the recovery of the duties, taxes etc. are not supposed to extend any concession to them by not effecting recovery in accordance with law. Reference in this behalf may be made to the recent judgment of this Court dated 29.08.2012 passed in CP No.673-K of 2009 titled Messrs Paramount Spinning Mills Ltd. Vs. The Customs, Sales Tax & Central Excise Appellate Tribunal and another. Learned counsel appearing for the FBR is required to obtain certified copies of the said judgment and circulate the same to all

ATTESTED


Superintendent
Supreme Court of Pakistan
ISLAMABAD

concerned officers of tax, customs department; throughout the country and the adjudicating authorities to follow the dictum laid down therein regarding the recovery of taxes in the absence of any stay order and similarly when a stay order already granted is lost its validity in terms of Article 199(4)A of the Constitution of Islamic Republic of Pakistan. The reports submitted by the NAB and FBR being unsatisfactory are returned. Copy of this order be sent to the Chairman NAB as well as Chairman FBR.



JUDGE: *Justice Muhammad Chaudhry, HCJ*
 JUDGE: *Justice Jawwad S. Khawaja, J*
 JUDGE: *Justice Khilji Asif Hussain, J.*

Certified to be True Copy

[Signature]
 Superintendent
 Supreme Court of Pakistan
 ISLAMABAD

10083/12

Case No.	Civil/Criminal
Date of Presentation	27.9.12
No. of Words:	600
No. of folios:	0
Registration Fee Rs:	5.00
Copy Fee in:	2.00
Court Fee stamps:	8.00
Date of Completion of Copy:	28/9/12
Date of delivery of Copy:	5/10/12
Compared by:	<i>[Signature]</i>
Received by:	<i>[Signature]</i>