

\$~5

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8487/2015 & CM 18235/2015

DINESH GOYAL

..... Petitioner

Through: Mr Amol sinha, Adv. with Mr Anuj dhir, Mr Rahul
Kochar, Mr Anshum Jain, Advs.

versus

PRINCIPAL COMMISSIONER OF INCOME TAX-20..... Respondent

Through: Mr Ashok Manchanda, Adv. for CIT.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

%

14.09.2015

This writ petition is directed against the order dated 09.03.2015 which has been passed by the Principal Commissioner of Income Tax-20, Delhi, under section 127(2) of the Income Tax Act, 1961 whereby the case of the petitioner has been transferred from ITO Ward 58(2) New Delhi to DCIT/ACIT, Central Circle, Noida. The grievance of the petitioner is that this order has been passed without giving a hearing to the petitioner. We have heard the learned counsel for the parties. The learned counsel for the respondent has taken instructions that the order be set aside and the hearing would be given to the petitioner before an order under section 127(2) is passed.

Consequently, the impugned order dated 09.03.2015 is set aside. The concerned Principal Commissioner shall give a hearing to the petitioner before passing any order under section 127(2) of the said Act. The date of hearing shall be notified separately to the petitioner.

The writ petition stands disposed of in the aforesaid terms.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

SEPTEMBER 14, 2015

kb