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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO.1179 OF 2016**

Latin Manharlal Securities Private
Limited & Anr.

..Petitioners

Versus

Principal Commissioner of Income Tax
Circle-4 Mumbai & Ors.

..Respondents

.....
Mr. Rajeev Waglay a/w Dinesh Parmar i/b. DSR Legal for the Petitioners.
Mr. Suresh Kumar for the Respondents.
.....

**CORAM: M. S. SANKLECHA &
A. K. MENON, JJ.**

DATE : 4TH MAY, 2016

PC.:

1. This Petition under Article 226 of the Constitution of India challenges the order dated 1st March, 2016 passed by the Principal Commissioner of Income Tax under Section 127(2) of the Income Tax Act, 1961 (the Act) transferring the petitioners assessment proceedings from Mumbai to Ahmedabad.

2. Mr. Suresh Kumar, the learned counsel appearing for the Revenue, on instructions, states that as the impugned order has been passed in

breach of the principles of natural justice the impugned order may be set aside with liberty to pass fresh order of transfer under Section 127 of the Act.

3. In the above view, the impugned order dated 1st March, 2016 is set aside with liberty as sought by the Revenue. Needless to state that the order passed under Section 127 of the Act will be in accordance with principles of natural justice.

4. Petition is disposed of in above terms. No order as to costs.

(A. K. MENON, J.)

(M. S. SANKLECHA, J.)