

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPT No. 156 of 2019**

Ashok Kumar Kothari S/o Mohan Lal Kothari Aged About 50 Years
21 Mahavir Colony, Durg (Chhattisgarh)

---- Petitioner**Versus**

1. The Principal Commissioner Of Income Tax Raipur - 2, Central Revenue Building, Civil Lines, Raipur Chhattisgarh.
2. The Income Tax Officer Ward - 1(4), Bhilai, District Durg Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Mool Chand Jain, Advocate along with Mr. Ashok Patil, Advocate
For Respondents	:	Ms. Naushina Afrin Ali, Advocate along with Mr. Ajay Kumrani, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/01/2020**

1. The challenge in the present writ petition was the notice issued under Section 148 of the Income Tax Act.
2. The writ petition was filed on 07.12.2019. Today, when the matter is taken up, the learned counsel for the Department submits that the Department has in the meanwhile passed the final assessment order itself and as such the issue involved in the case has become infructuous and the subsequent order passed on 18.12.2019 is itself an appealable order under Section 246A of the Income Tax Act.
3. The counsel for the Department produced the order dated 18.12.2019 to the Court, the said order is taken on record.
4. In view of the fact that an assessment order has since been passed on 18.12.2019, in the opinion of this Court the matter as such has become of only academic interest. Accordingly, the present writ

petition stands disposed of leaving open the questions, which were raised by the petitioner in this petition to be agitated in an appropriate proceeding including appeal, which the petitioner may prefer challenging the assessment order.

5. With the aforesaid observations and liberty, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved