IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2191 OF 2010

Sanghvi Movers Ltd. ...Petitioner
vs.
Additional Commissioner of Income Tax
and Anr. ...Respondents

Mr. Nishant Thakkar a/w. Ms. Jasmine Amalsadwalla i/b Mint & Confreres for Petitioner.
Mr. Suresh Kumar for Respondents.

CORAM : K. R. SHRIRAM AND
AMIT B. BORKAR, JJ.

DATE : 26 NOVEMBER 2021

P. C. :

This petition is impugning notice dated 6/11/2009 issued by respondent No.2 calling upon petitioner to furnish authenticated copies of the documents/details mentioned in the said letter for estimating the value of investment in plant & machinery. This notice is issued under Section 142A of the Income Tax Act, 1961 (the Act).

2. Section 142A of the Act empowers the Assessing Officer for the purposes of assessment to make a reference to Valuation Officer to estimate the value, including fair market value of any asset, property or investment and submit a copy of report to him. On receipt of report and after giving

assessee opportunity of being heard, the Assessing Officer may take into account such report in making the assessment or reassessment. Even before petitioner could comply with the requirement to the notice issued by respondent No.2 and petitioner's assessment for the relevant Assessment Year 2007-2008 was completed and assessment order dated 30/11/2009 has been passed. Therefore nothing survives in the notice issued by respondent No.2.

3. Petition disposed of.

(AMIT B. BORKAR, J) **(K. R. SHRIRAM , J.)**

RAJESHWARI SUBODH KARVE

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Date: 2021.11.30 10:52:00 +0530