

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1217 OF 2021

Rahul Anthony Rodrigues] ... Petitioner

Versus

Assessment Unit, Additional / Joint / Deputy /]
Assistant Commissioner of Income Tax & Ors.] ... Respondents

Mr. Tanmay Phadke i/b Mr. Ruturaj H. Gurjar for Petitioner.
Mr. Nirmal C. Mohanty for Respondents.

CORAM :- K. R. SHRIRAM &
AMIT B. BORKAR, JJ.
DATE :- 28 OCTOBER, 2021

P. C. :-

1. Both learned Counsel suggest that the impugned Assessment Order dated 23/04/2021 be quashed and set aside and remanded back to the Assessing Officer to pass such order as he deems fit in accordance with law. Ordered accordingly.

2. Before passing any order, the Assessing Officer shall consider the reply filed by Petitioner and also shall grant personal hearing to Petitioner in accordance with rules. The order be passed within 6 weeks from today.

URS

1 of 2

3. Mr. Phadke places a caveat that this is without prejudice to Petitioner's Appeal pending before ITAT where Petitioner has challenged the power exercised by the Commissioner of Income Tax under Section 263 of the Income Tax Act, 1961.

4. Petition disposed.

(AMIT B. BORKAR, J.)

(K. R. SHRIRAM, J.)