

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 180 OF 2005

Hindustan Pencils Limited

....Petitioner

V/s.

R. Andiappan Asst. Commissioner of Income
Tax, Central Circle 33 and Ors.

...Respondents

Mr. P.J. Pardiwalla, Senior Advocate a/w Mr. Madhur Agrawal i/b Mr. Atul K.
Jasani for Petitioner.

None for Respondents.

CORAM : K.R. SHRIRAM &
AMIT B. BORKAR, JJ.
DATED : 2nd DECEMBER, 2021

P.C. :

1. Mr. Pardiwalla states that facts and all material particulars in this petition are identical to the facts in Writ Petition No. 178 of 2005 except the amounts and names of the unit and petitioner varies.

2. We accept the statement of learned senior counsel and make these petitions also absolute in terms of prayer clause (a) therein which reads as under :-

(a) that this Hon'ble Court may be pleased to issue a Writ of Certiorari or a Writ in the nature of Certiorari or any other appropriate Writ, Order or Direction under Article 226 of the Constitution of India, calling for the records of the Petitioner's case in so far as they relate to the impugned notice dated 30th March 2004 being Exhibit "F" hereto, the impugned alleged approval of Respondent No.2 under Section 151 of the Act, the impugned order dated 27th December, 2004 being Exhibit "P" hereto and the impugned reassessment proceedings of the Petitioner for the Assessment Year 1997-98 and after going

through the same and examining the question of the legality thereof, to quash and cancel the same.

3. Petitions disposed.

(AMIT B. BORKAR, J.)

(K.R. SHRIRAM, J.)