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

WRIT PETITION NO. 1247 OF 2021

Mantelone Investment Ltd. .... Petitioner

V/s.

The Commissioner of Income Tax
(IT), Mumbai-3 & Ors. ....Respondents

Mr. Madhur Agrawal i/b Mr. Atul K. Jasani for petitioner.

Mr. Parag A Vyas for respondents.

CORAM : K.R.SHRIRAM &
R.I. CHAGLA JJ.

DATED : 1st OCTOBER, 2021

P.C. :

1 Mr. Agrawal states that the issue in this petition is squarely covered under the order and judgment dated 15.09.2021 in Writ Petition No.1246 of 2021 and, therefore, prayer clause (a) be granted. Mr. Agrawal states that only difference is that the present Petition is for assessment year 2014-2015 whereas Writ Petition No.1246 of 2021 was for assessment year 2015-2016. Mr. Vyas agrees. Therefore, Petition allowed in terms of prayer clause (a) which reads as under :-

a. this Hon'ble Court may be pleased to issue a Writ of Mandamus or a Writ in the nature of Mandamus, or any other appropriate Writ, Order or Direction under Article 226 of the Constitution of India, ordering and directing Respondent No.1 to withdraw and revoke the impugned Form No. 3 dated 11th December, 2021 (Exhibit F) issued under the Vivad se Vishwas Act for the assessment year 2014-15 and direct the Respondent to settle the dispute of the Petitioner and / or issue revised Form No. 3 for settlement of the dispute of the Petitioner for the assessment year 2014-15 without withdrawing the interest already granted under section 244A of the Act at the time of the completion of the assessment proceedings;

2 The revised form to be issued within one week of this order being uploaded.

WAISHALI SUSHIL WAGHMARE Digitally signed by WAISHALI SUSHIL WAGHMARE Date: 2021.10.05 03:23:40 +0530

(R.I. CHAGLA, J.) **(K.R. SHRIRAM, J.)**