IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 17324 of 2022

Jay Kishore Choubey	....	***Petitioner***

Mr. Saswat Kamar Acharya, Advocate

-versus-

Tax Recovery Officer, PCIT-1, BBSR & Ors.	....	***Opposite Parties***

Mr. R.S. Chimanka, Senior Standing Counsel

CORAM:
THE CHIEF JUSTICE
DR. JUSTICE S. K. PANIGRAHI

ORDER
26.07.2022

Order No.

W.P. (C) No. 17324 of 2022 & I.A. No.9296 of 2022

01. 1. According to the petitioner the appeal filed before the Commissioner Income Tax (Appeals) [CIT (A)] against the assessment order for the Assessment Year (AY) 2009-10 has been pending before the CIT (A) since 25th April, 2016. It is stated that even the stay application filed along with the appeal has still not yet been taken up for hearing. In other words, the appeal along with stay application is still pending for over six years now.

2. In the above background, the Petitioner has approached this Court on account of impugned letters dated 8th March, 2022 and 21st April, 2022 issued by PCIT-I Bhubaneswar/Tax Recovery Officer asking him to pay the outstanding amount.

3. Mr. Chimanka, learned Senior Standing Counsel appearing on advance notice is unable to deny the above facts. He states that if a time bound direction, to dispose of the appeal and the pending application for stay, is issued it will be complied with.

4. Accordingly, it is directed that the pending appeal and the stay application filed before the CIT(A) for the aforementioned AY shall be taken up for hearing by the CIT(A) at the earliest and be disposed of not later than 2nd November, 2022. Till then no further coercive action will be taken against the Petitioner.

5. The petition and the pending application are disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(Dr. S.K. Panigrahi)
Judge

Lingaraj Behera