

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 17351 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. 17351 of 2022 & I.A. No. 9315 of 2022

01. 1. According to the Petitioner the appeal filed by him before the Commissioner Income Tax (Appeals) [CIT (A)] against the assessment order for the Assessment Year (AY) 2010-11 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 the impugned letters dated 8th March, 2022 and 21st April, 2022 issued by PCIT-I Bhubaneswar/Tax Recovery Officer asking him to pay the outstanding demand.
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 pending application are disposed of in the above terms.

Lingaraj Behera

