IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9831 OF 2022

Chandrashekhar Ashok Joshi …. Petitioner
Versus
The Additional/Joint Deputy/ Assistant
Commissioner of Income Tax Officer and Ors. ….Respondents

Mr. Rohan Deshpande a/w Ms. Farzeen Khambatta for Petitioner.
Mr. Suresh Kumar for the Respondents.

CORAM : DHIRAJ SINGH THAKUR AND VALMIKI SA MENEZES, JJ.

DATE : 6th DECEMBER, 2022.

P.C. :

1. Petitioner challenges the order of assessment dated 28th September 2021, relevant to the Assessment Year 2010-11, mainly on the ground that the petitioner was not granted an opportunity of being heard when the draft assessment order was served upon the petitioner. It is admitted that the response could not be filed within the time prescribed and the draft assessment order came to be passed on 25th September 2021.

2. Be that as it may, since the learned counsel for the petitioner states that the petitioner has already preferred an appeal, which is

pending before the CIT, and considering the fact that the present petition came to be filed much later i.e. on 28th April 2022, we are not inclined to entertain the present petition at this stage. Petition is accordingly dismissed.

[VALMIKI SA MENEZES, J.] **[DHIRAJ SINGH THAKUR, J.]**