

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.744 OF 2022

Konark Infrastructure Ltd.

....Petitioner

V/s.

Assistant Commissioner of Income Tax & ors.

...Respondents

Mr. J. D. Mistri, Senior Advocate a/w Mr. Fenil Bhatt i/b Mr. Atul K Jasani
for Petitioner

Mr. Suresh Kumar for Respondents

CORAM : K.R. SHRIRAM &

N.R. BORKAR, JJ

DATED : 28th MARCH 2022

PC. :

1 Mr. Suresh Kumar agrees with Mr. Mistri that the findings of this court in Writ Petition No.264 of 2022 passed on 8th March 2022 shall apply to this case as well and therefore, petition can be allowed in terms of prayer clause (a).

2 Accordingly petition stands allowed in terms of prayer clause (a), which reads as under:

(a) that this Hon'ble Court be pleased to issue a writ of certiorari or any other writ order or direction under Articles 226 of the Constitution of India calling for the records of the case leading to the issue of the impugned notice and passing of the impugned order and after going through the same and examining the question of legality thereof quash, cancel and set aside the impugned notice (Exhibit M) dated March 18, 2021 and impugned order (Exhibit T) dated September 9, 2021.

3 Petition disposed.

(N. R. BORKAR, J.)

(K.R. SHRIRAM, J.)