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

WRIT PETITION NO. 696 OF 2022

Arun Mandaviya HUF ….Petitioner

V/s.

Income Tax Officer, Ward 32(1)(1),
Mumbai and Ors. …Respondents

Mr. Subhradeep Banerjee a/w Mr. Deep Shah i/b Mr. Kevin Shah & Associates, Attorneys for Petitioner.
Mr. Arvind Pinto for Respondents.

CORAM : K.R. SHRIRAM &
N. R. BORKAR, JJ.
DATED : 30th MARCH, 2022

P.C. :

1. In this case the notice issued under Section 148 of the Income Tax Act, 1961 (the Act) is dated 28th June, 2021 but the procedure followed is the old procedure which came to be replaced by the Finance Act, 2021 with effect from 1st April, 2021.

2. We have already held in ***Tata Communications Transformation Services Limited vs. Assistant Commissioner of Income Tax 14(1) & Ors.***[1] that such notices are bad in law and have to be quashed. Accordingly, notice impugned in this petition is hereby quashed and set aside.

3. Petition disposed accordingly.

(N. R. BORKAR, J.) **(K.R. SHRIRAM, J.)**

1 Writ Petition No.1334 of 2021 dated 29th March, 2022.