

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.493 OF 2021**

PRL Developers Private LimitedPetitioner
V/s.

Assistant Commissioner of Income
Tax Circle - 7(3)(2) and Ors.Respondents

Mr. J. D. Mistri, Senior Advocate a/w. Mr. Madhur Agrawal and Mr. Upendra
Lokegaonkar i/b. Mint & Confreres for petitioner.
Mr. Suresh Kumar for respondents.

**CORAM : K.R. SHRIRAM &
N.J. JAMADAR, JJ.
DATED : 31st JANUARY 2022**

PC. :

1 Mr. Mistri states that there is an order dated 28th February 2020
stating that there shall be stay of recovery of demand pursuant to the
assessment order dated 25th December 2019 for the Assessment year 2016-
2017. Mr. Mistri states that if the appeal itself is directed to be disposed by
respondent no.4 within a reasonable period and the stay is continued until
the appeal is disposed, this petition can be disposed with suitable directions.
Mr. Suresh Kumar states that reasonable time be granted for disposing the
appeal.

2 Therefore, we pass the following order :

(a) respondent no.4/the appropriate authority shall
dispose the Appeal No.CIT (A) 13, Mumbai/10306/
2019-20 within six weeks from the date of this
order getting uploaded;

(b) the authority shall also grant a personal hearing
to petitioner and communicate the date atleast one
week in advance;

(c) If respondent wishes to rely on any judgments or order passed by any Court or Tribunal, he shall provide a copy thereof to petitioner and give them an opportunity to deal with those judgments or distinguish those judgments and those submissions of petitioner shall also be dealt with in the assessment order.

3 The ad-interim order granted on 28th February 2020 shall continue until the appeal is disposed and for two weeks thereafter.

4 Petition accordingly stands disposed.

5 We clarify that we have not made any observation on the merits of the case.

(N.J. JAMADAR, J.)

(K.R. SHRIRAM, J.)