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

WRIT PETITION NO. 1611 OF 2022

Arshad Alibhai Nathani

....Petitioner

V/s.

The Assistant Commissioner of
Income Tax Circle 22(1), Mumbai
and Ors.

...Respondents

Mr. Hiro Rai a/w Mr. Subhash Shetty i/b Mr. Atul K. Jasani for Petitioner.
Mr. Akhileshwar Sharma a/w Mr. Vikas T. Khanchandani for Respondents-
Revenue.

CORAM : K.R. SHRIRAM &
N. R. BORKAR, JJ.
DATED : 18th APRIL, 2022

P.C. :

1. Mr. Rai submitted that the issue in this petition is squarely covered by the order passed by this court in *Ashraf Alibhai Nathani, Muumbai vs. Assistant Commissioner of Income Tax Circle-22(1), Mumbai and Others*¹ where petitioner was brother of petitioner herein. The only difference will be that the amounts and the number of shares will differ.

2. Mr. Sharma agrees with what Mr. Rai says.

3. In the circumstances, we allow this petition 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 Article 226 of the Constitution of India calling for the records of the case leading to the issue of the impugned notice and passing

¹ Writ Petition No.550 of 2022 Dated 16th February, 2022

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 G) dated 23rd March, 2021 and impugned order (Exhibit M) dated 2nd February, 2022.

4. Petition disposed with no order as to costs.

(N. R. BORKAR, J.)

(K.R. SHRIRAM, J.)