(This is a corrected order as per speaking to minutes order dated 22nd February, 2022)

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

WRIT PETITION NO.1243 OF 2021

Ritul Jewels Private Limited ...Petitioner
vs.
National e-Assessment Centre (NeAC or NFAC) ...Respondent

Mr. Devendra Jain a/w. Ms. Radha Halbe, for the Petitioner.
Mr. Sham Walve, for the Respondents-Revenue.

CORAM : K.R. SHRIRAM &
N. J. JAMADAR, JJ.

DATE : FEBRUARY 08, 2022

P.C.:

. Mr. Walve states that he has considered the Petition and finds that grievance raised by the Petitioner in the Petition is not unjustified. Mr. Walve states that Court may therefore quash and set aside the assessment order dated 21st April, 2021, notice of demand issued under section 156 of the Income Tax Act, 1961 dated 21st April, 2021 and show cause notice for initiating penalty proceeding also dated 21st April, 2021.

2. In view of the statement made by Mr. Walve, the assessment order, notice of demand and show cause notice for initiating penalty proceeding all dated 21st April, 2021 are quashed and set aside.

3. Matter is remanded for *de novo* consideration to the authority who shall pass a fresh assessment order within 12 weeks from today, in accordance with law and strictly in accordance with the mandatory provisions of section 144 (B) of the Act.

4. Before passing any order, a personal hearing shall be granted and the time and date of the personal hearing shall be intimated at least one week in advance to the Petitioner.

5. If the Respondent is going to rely on any order or judgment of any Court or Tribunal, Respondent shall provide a copy thereof to Petitioner's representative before the personal hearing so that Petitioner can deal with/ distinguish those orders/judgments.

6. Petition accordingly disposed.

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