IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2085 OF 2021

Madhavi Madhusudan Keny ... Petitioner
Vs.
Deputy Commissioner of Income Tax 2-(1) & others... Respondents

Mr. Ruturaj H. Gujar for Petitioner.
Mr. Sham V. Walve for Respondents - Revenue.

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

DATE : FEBRUARY 08, 2022

P.C. :-

1. Mr. Walve states that he has considered the petition and finds that grievance raised by petitioner in the petition is not unjustified. Mr.Walve states that Court may, therefore, quash and set aside the assessment order and notice of demand dated 25th May 2021, for the Assessment Year 2018-19.

2. In view of the statement made by Mr. Walve, assessment order as also notice of demand dated 25th May 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 twelve 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 date and time of personal hearing shall be intimated at least one

week in advance to the petitioner.

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

6. Petition accordingly disposed.

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

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