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

WRIT PETITION NO.3362 OF 2022

Jaya Bachchan ...Petitioner
Versus
Principal Commissioner of Income-Tax
Mumbai-8
And Others ...Respondents

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Mr. G.C. Shrivastava a/w Mr. Kalrav Mehrotra, Mr. Jas Sanghvi, Mr. Yash Prakash i/b PDS Legal for the Petitioner.
Mr. Suresh Kumar for the Respondents.

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CORAM : DHIRAJ SINGH THAKUR &
VALMIKI SA MENEZES, JJ.

DATE : 17 OCTOBER 2022

P.C.

. The Petitioner challenges the Order dated 14 October 2021 passed by Principal Commissioner of Income-tax, Mumbai under Section 127(2) of the Income Tax Act, 1961 ("the Act") on two grounds, firstly, that principle of natural justice had been violated inasmuch as no personal hearing was afforded to the Petitioner before passing the Order impugned and secondly, that before passing the Order impugned, the Principal Commissioner of Income-tax, Mumbai had not sought the agreement of the Principal Commissioner of Income-tax, Gurgaon, Haryana, which is a pre-requisite for exercising powers under Section 127 of the Act.

2 Mr. Suresh Kumar, learned Counsel for the Respondents states that he has instructions as communicated to him by a communication dated 5 August 2022 that the Order impugned be set aside, with a view to give to the Petitioner an opportunity of personal hearing. In that view of the matter, the Order impugned

dated 14 October 2021 is set aside. The Petitioner would be granted an opportunity of personal hearing before passing Orders under Section 127 of the Act. The Writ Petition is disposed of accordingly.

(VALMIKI SA MENEZES, J.) (DHIRAJ SINGH THAKUR, J.)

RAJESH VASANT CHITTEWAN Digitally signed by RAJESH VASANT CHITTEWAN Date: 2022.10.18 17:08:25 +0530