

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2331 OF 2021

Andrea Education Trust ... Petitioner
Vs.
Central Board of Direct Taxes and others ... Respondents

Mr. Tanmay M. Phadke for Petitioner.
Mr. Sham V. Walve for Respondents.

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

DATE : FEBRUARY 16, 2022

P.C. :-

Mr. Walve in fairness states, on instructions, that the order dated 10th March 2021, impugned in this petition be set aside and the matter be remanded for *de novo* consideration.

2. Mr. Phadke also has no objection.

3. Therefore, the order dated 10th March 2021 for Assessment Year 2017-18 is quashed and set aside. The matter is remanded for *de novo* consideration. The concerned authority shall consider the application of petitioner and dispose of the same in accordance with law within twelve weeks from today. If petitioner wishes to make any further written submissions, the same to be filed within two weeks from today. The concerned authority shall consider the same and pass necessary orders after giving a personal hearing to the petitioner and the notice of hearing shall be given at least one week in advance.

4. If concerned authority is going to rely on any order or judgment, a copy thereof shall be provided to petitioner before the personal hearing so that petitioner can distinguish or deal with the same.

5. Petition disposed.

(N. J. JAMADAR, J.)

(K. R. SHRIRAM, J.)