

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

WRIT PETITION NO.3979 OF 2021

Ajmera Developers

...Petitioner

vs.

The Assistant Commissioner of Income Tax
Circle-3, Thane and Others

...Respondents

Mr. Pankaj Toprani a/w. Ms. Krupa Toprani i/b. PRH Juris Consults,
for the Petitioner.

Mr. Sham Walve, for the Respondents.

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

DATE : **MARCH 08, 2022**

P.C.:

. The grievance in this Petition is a demand order/letter dated 8th December, 2021 which is impugned in this Petition, has been issued without disposing Petitioner's application for stay of demand of A.Y. 2018-19.

2. Mr. Walve, on instruction, states that the Jurisdictional Assessing Officer shall consider the application for stay of demand dated 12th October, 2021 which has been filed by the Petitioner and copy whereof is annexed to this Petition at Exhibit D and will dispose the same in accordance with law. Mr. Walve states that JAO will also give Petitioner a personal hearing.

**VISHAL
SUBHASH
PAREKAR**

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3. In our view, it is a very fair suggestion coming from Respondents. Therefore, JAO is directed to dispose Petitioner's application dated 12th October, 2021 for stay, in accordance with law and before disposing shall give a personal hearing to Petitioner. Notice of personal hearing shall be given at least seven days in advance.

4. We clarify that we have not made any observations on the merits of the matter.

5. Petition disposed.

6. No order as to costs.

(N. J. JAMADAR, J.)

(K. R. SHRIRAM, J.)