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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 5136/2022 & CM APPLs.15281-15282/2022

FUSSY FINANCIAL SERVICES PVT LTD ..... Petitioner

Through Mr. Nagesh Kumar Behl, Advocate.

versus

NATIONAL FACELESS ASSESSMENT CENTRE, DELHI AND ANR. ..... Respondents

Through Mr. Kunal Sharma, Advocate.

% Date of Decision: 29th March, 2022

CORAM:
HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

J U D G M E N T

MANMOHAN, J (Oral):

1. Present writ petition has been filed challenging the reassessment notice dated 30th March, 2021 issued under Section 148 of the Income Tax Act, 1961 [for short 'Act'] for the Assessment Year 2013-14 as well as order dated 21st March, 2022 issued by the Respondent No.1 disposing of the objections filed by the Petitioner.

2. Learned counsel for the petitioner states that the Respondents have not provided the material on the basis of which reasons were formed. He further states that there is no live link between the information and the reasons recorded for the Assessment Year 2013-14 as the reasons were recorded on the basis of information pertaining to a different Assessment Year.

3. Having perused the paper book, this Court finds that while dealing with the objections of the petitioner, the respondents have observed numerous times that the petitioner has not furnished any document to support its claim that the information pertains to a different Assessment Year.

4. Further, there is a contradiction in the stand of the petitioner inasmuch as on the one hand the petitioner states that Petitioner did not have any bank account in ICICI Bank, Naya Bazar branch, whereas on the other hand the petitioner states that information pertaining to credits in the said account relates to a different Assessment Year.

5. In any event, in the present matter no scrutiny assessment was done and therefore, the only requirement to initiate proceedings under Section 147 of the Act is that there should be reason to believe that income has escaped assessment, which has been duly recorded by the Assessing Officer.

6. Consequently, this Court finds no ground to interfere and the writ petition and pending applications are dismissed. However, this Court directs that the information relied upon by the respondents against the petitioner shall be provided to the petitioner within three working days.

7. With the consent of learned counsel for the parties, the time for passing the re-assessment order is extended till 18th April, 2022.

MANMOHAN, J

MANOJ KUMAR OHRI, J

MARCH 29, 2022
AS