

ORDER SHEET
WPO/1534/2023
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MANGALKAMNA COMMOSALE PRIVATE LIMITED
VS
INCOME TAX OFFICER WARD 4/1 AND ORS.

BEFORE:

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date: 29th August, 2023.

Appearance:
Mrs. Swapna Das, Adv.
Mr. Siddharth Das, Adv.
...For the Petitioner
Mr. Prithu Dudhoria, Adv.
...For the respondents

The Court: By this writ petition, petitioner has challenged the impugned assessment order dated 30th May, 2023 under Section 147 read with Section 144 of the Income Tax Act, 1961 relating to assessment year 2013-14 on the ground that the same has been passed contrary to the specific order of stay granted by this Court restraining from any further proceeding subsequent to the order under Section 148A(d) of the Act, by the order of this Court dated 15th March, 2023 in WPO 398 of 2023.

Mr. Dudhoria, learned advocate appearing for the respondent Income Tax Authority is not in a position to contradict the aforesaid allegation of the petitioner that the aforesaid impugned order has been passed in spite of specific stay of further proceeding granted by this Court on 15th March, 2023.

Considering the facts and circumstances of the case as appears from record and submission of the parties, the aforesaid impugned assessment order under Section 147 of the Act dated 30th May, 2023 is quashed. Accordingly, this writ petition being WPO 1534 of 2023 stands disposed of.

(MD. NIZAMUDDIN, J.)

TR/

