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

\+ **W.P.(C) 16651/2024 & CM APPL. 70435-36/2024**

PANCH TATVA PROMOTORS PRIVATE LIMITED

.....Petitioner

Through: Dr Rakesh Gupta, Mr Somil Agarwal and Mr Dushyant Agarwal, Advocates.

versus

ASSISTANT COMMISSIONER OF INCOME TAX CENTRAL CIRCLE 25 DELHI AND ORS

.....Respondents

Through: Mr Siddhartha Sinha, SSC, Ms Anu Priya Nisha Minz, Advocate.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

<u>O R D E R</u>

% **03.12.2024**

1. Issue notice. The learned counsel for the respondents accepts notice.

2. The petitioner has filed the present petition, *inter alia,* impugning the notice issued under Section 148 (hereafter *the impugned notice*) of the Income Tax Act, 1961 (hereafter *the Act*) seeking to reopen the assessment in respect of the assessment year (AY) 2014-15.

3. The petitioner's case is that the impugned notice has been issued beyond the period of the limitation.

4. Concededly, the issue involved in the present case is covered by the earlier decision of this court in ***Dinesh Jindal v. Assistant Commissioner of Income Tax, Central Circle 20, Delhi & Others: Neutral Citation: 2024:***

DHC:4554-DB as well as the decision in the case of ***The Pr. Commissioner of Income Tax - Central-1 v. Ojjus Medicare Pvt. Ltd : Neutral Citation : 2024:DHC:2629-DB.***

5. In terms of the aforesaid decisions, the period of ten years is required to be reckoned from the end of the assessment year, which is relevant to the previous year in which the notice under Section 148 of the Act has been issued.

6. The learned counsel appearing for the Revenue concurs with the aforesaid position.

7. In view of the above, the present petition is allowed. The impugned notice is set aside as being barred by limitation.

8. The petition is disposed of in the aforesaid terms. Pending applications also stand disposed of.

VIBHU BAKHRU, J

SWARANA KANTA SHARMA, J

DECEMBER 03, 2024

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Click here to check corrigendum, if any