$~65

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

\+ W.P.(C) 17521/2024 & CM APPL. 74544-45/2024

BASANT PROJECTS LIMITED .....Petitioner

Through: Mr Ruchesh Sinha and Ms Monalisa Maity, Advocates.

versus

DCIT CIRCLE 4(2) DELHI & ANR. .....Respondents

Through: Mr. Debesh Panda, SSC Ms. Zehra Khan, Mr. Vikramaditya Singh, JSCs Mr. Kanishk Aggarwal, Advocates.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

O R D E R

% **19.12.2024**

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

2. The petitioner has filed the present petition, *inter alia,* impugning a notice dated 31.08.2024 (hereafter *the impugned notice*) issued under Section 148 of the Income Tax Act, 1961 (hereafter *the Act*) in respect of the assessment year (AY) 2015-16. The petitioner contends that the impugned notice is barred by the limitation.

3. Concededly, the issue is covered in favour of the petitioner by an 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.*** In terms of the said decision, the period of ten years is required to be reckoned from the end of the assessment year relevant to the financial year in which the notice under Section 148 of the Act has been

issued. The petitioner has set out a tabular statement indicating the ten years that would be covered within the period of limitation. The said tabular statement is set out below:-

Sr. No.	A Y	Years	Narration
1	2025-26	1	1^{st} year
2	2024-25	2	2^{nd} year
3	2023-24	3	3^{rd} year
4	2022-23	4	4^{th} year
5	2021-22	5	5^{th} year
6	2020-21	6	6^{th} year
7	2019-20	7	7^{th} year
8	2018-19	8	8^{th} year
9	2017-18	9	9^{th} year
10	2016-17	10	10^{th} year
11	2015-16	11	Time Barred
12	2014-15	12	Time Barred

4. The learned counsel appearing for the Revenue concurs with the said tabular statement.

5. In view of the above, the present petition is allowed and the impugned notice is set aside. Pending applications also stand disposed of.

VIBHU BAKHRU, ACJ

TUSHAR RAO GEDELA, J

DECEMBER 19, 2024

M

Click here to check corrigendum, if any