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

WRIT PETITION NO.215 OF 2024

Pfizer Limited .. Petitioner

Versus

Assistant Commissioner of Income Tax
Circle 14(1)(1), Mumbai & Anr. .. Respondents

Mr. Percy Pardiwala a/w Mr. Hiren Thakkar and Mr. Bhavesh Bhatia i/by Lumiere Law Partners for the petitioner.
Mr. Akhileshwar Sharma for the respondents.

CORAM : M. S. Sonak &
Jitendra Jain, JJ.
DATE : 20 January 2025

P.C.:-

1. Heard learned counsel for the parties.

2. The challenge in this petition is to the order dated 31 March 2023 which is an order giving effect to the order under Section 263 of the Income Tax Act, 1961 dated 30 March 2022 passed by the Principal Commissioner of Income Tax.

3. As against the order dated 30 March 2022, the petitioner has already instituted a substantive appeal before the ITAT. Accordingly, we direct the ITAT to dispose of this appeal as expeditiously as possible and preferably within six months from today.

4. Until the ITAT disposes of the appeal, we direct that the impugned order dated 31 March 2023 for giving effect to the order dated 30 March 2022 and for a period of four weeks thereof must not be enforced.

5. If the ITAT allows the petitioner's appeal, then, there would be no occasion to challenge the impugned order dated 31 March 2023.

However, if the petitioner's appeal is dismissed, then, we grant the petitioner liberty to challenge the impugned order dated 31 March 2023 by agitating all the contentions available under the law, including those raised in this petition.

6. This petition is disposed of with liberty in the above terms. No costs.

7. All concerned to act on the authenticated copy of this order.

(Jitendra Jain, J.) **(M. S. Sonak, J.)**