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

\+ W.P.(C) 8282/2024

DIVERSIFIED HOLDING CO ..... Petitioner

Through: Ms. Shreya Rao, Advocate

versus

ASSISTANT COMMISSIONER OF INCOME TAX, INCOME TAX CIRCLE, INTERNATIONAL TAX 1 (2) (2) & ANR.

..... Respondents

Through: Mr. Aseem Chawla, Sr. SC alongwith Ms. Pratishtha Chaudhary, Ms. Nivedita and Ms. Naincy Jain, Advocates

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% **30.05.2024**

CM APPL 34023/2024 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 8282/2024 and CM APPL 34022/2024 (Stay)

1. Notice. Since the respondents are represented by Mr. Chawla, let a reply be filed within a period of three weeks. The petitioner shall have two weeks therefrom to file a rejoinder affidavit.

2. Prima facie, we find ourselves unable to sustain the initiation of reassessment action bearing in mind the allegation of the writ petitioner that it was never served with a notice issued under Section 148A(b) of the Income Tax Act, 1961 ["**Act**"]. Matter requires consideration.

3. Till the next date of listing, the respondents shall stand restrained from proceeding further with the impugned order dated 20 February 2024 issued under Section 144C of the Act.

4. Let the petition be called again on 06.08.2024.

YASHWANT VARMA, J.

PURUSHAINDRA KUMAR KAURAV, J.

MAY 30, 2024
p'ma