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

\+ W.P.(C) 14485/2024

NETIKTA PROJECT DEVELOPMENT PVT. LTD......Petitioner

Through: Mr Gautam Jain with Mr Deepansh Jain, Mr Shaantanu Jain and Mr Manish Yadav, Advocates.

versus

INCOME TAX OFFICER, WARD 18(1), DELHI .....Respondent

Through: Mr Abhishek Maratha, Sr. Standing Counsel with Mr Parth Semwal, Mr Apoorv Agarwal, Mr Nupur Sharma, Mr Gaurav Singh, Mr Bhanukaran Singh Jodha and Ms Kuskaan Goel, Advocates.

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

O R D E R

% 16.10.2024

CM APPL. 60734/2024

1. The exemption is allowed, subject to just exceptions.

2. The application stands disposed of.

W.P.(C) 14485/2024 and CM APPL. 60733/2024

3. The petitioner has filed the present petition impugning the notice dated 20.03.2024 (hereafter *the impugned notice*) issued under Section 148 of the Income Tax Act, 1961 (hereafter *the Act*) in respect of the assessment year (AY) 2020-21.

4. Although the petitioner has raised several grounds in the present

petition, the learned counsel appearing for the petitioner has confined the scope of the present petition to challenging the impugned notice on the ground that the Jurisdictional Assessing Officer had no jurisdiction to initiate proceedings after the Central Board of Direct Taxes circular dated 29.03.2022.

5. Issue notice.

6. The learned counsel appearing for the respondent accepts notice.

7. This Court is informed that a batch of matters involving a similar issue is listed before this Court on 16.12.2024. Accordingly, list the present petition on that date, that is, on 16.12.2024.

8. In the meanwhile, the respondent is at liberty to file counter-affidavit, if necessary, within a period of four weeks from date. The rejoinder, if any, be filed before the next date of hearing.

9. In the meanwhile, the proceedings for reassessment, pursuant to the impugned notice, may continue. However, if any adverse order is passed, it shall not be given effect to till the next date of hearing.

VIBHU BAKHRU, J

SWARANA KANTA SHARMA, J

OCTOBER 16, 2024 / tr

Click here to check corrigendum, if any