

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**MONDAY, THE TWENTY EIGHTH DAY OF AUGUST****TWO THOUSAND AND TWENTY THREE****:PRESENT:****THE HONOURABLE SRI JUSTICE P.SAM KOSHY****AND****THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY****WRIT PETITION NO: 1219 OF 2023****Between:**

K. Yadagiri, S/o. Late. K. Gowraiah,

...Petitioner**AND**

1. Ministry of Finance, National Faceless Assessment Center Represented by Its Principal Chief Commission of Income Tax Department Room No 356 C.R. BUILDING, IP Estate, New Delhi, Delhi 110002.
2. Deputy Commissioner of Income Tax Regional Faceless Assessment Center, Income Tax Department, Central circle-1(4) Ayakar Bhavan, Opposite to L.B.Stadium, Basheer bagh, Hyderabad.
3. Assessment Officer, Regional Faceless Assessment Center, Income Tax Department, Central circle-1(4) Ayakar Bhavan, Opposite to L.B.Stadium, Basheer bagh, Hyderabad.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or dire particularly one in the nature of WRIT OF MANDAMUS declaring the ac respondents null and void and contrary to the provision of the Income Tax Act for not following the due procedure of law prescribed under the Income Tax Act 1961 under section 144 B and consequently quash, or set - aside the final assessment order dated 28.12.2022 and demand notice issued under section 156 of Income Tax and show cause notices issued under section 274 R/W 270 A, Notice U/S 274 R/w Section 271AAC(1) of Income Tax Act.

IA NO: 1 OF 2023

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the Writ Petition, the High Court may be pleased to stay of all further proceedings for appeal and subsequently stay the proceedings for the demand notice issued under section 156 for penalty proceedings Issued under sections 274 R/W 270 A, Notice U/S 274 R/w Section 271AAC (1) of Income Tax Act 1961, pending disposal of Writ Petition No.1219 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court order dated: 11.01.2023, 08.06.2023 and 27.07.2023 made herein and upon hearing the arguments of Mr. MANDALA NAGENDRA BABU Advocate for the Petitioner, SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA) for the Respondent No.1 and Mr. K. RADHA KRISHNA Advocate for the Respondent Nos.2 and 3, the Court made the following.

ORDER:

Learned counsel for the respondent prays time to file counter.

As prayed for, list this matter on 28.11.2023.

Interim relief granted earlier to continue.

Registry is directed to reflect the name of Mr. K. Radha Krishna, learned counsel for the respondents in place of Ms. K. Mamata, in the cause list.

**SD/-T.JAYASREE
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Mr. MANDALA NAGENDRA BABU, Advocate [OPUC].
2. One CC to SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA), Advocate [OPUC].
3. Two spare copies

HIGH COURT

PSKJ & LNAJ

DATED: 28.08.2023

LIST ON 28.11.2023

ORDER

WP.No.1219 of 2023

EXTENSION OF STAY

