

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR**

:PRESENT:

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE N.TUKARAMJI**

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, 27.07.2023, 28.08.2023 & 04.12.2023 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:

Today, when the matter is taken up, it has been brought to the notice that the counter that was filed by the Department has been returned back for technical reasons. Thereafter, the Department has till date not filed the counter.

In view of the same, let the counter be filed by the Department within a period of three (3) weeks and the matter be taken up on 11.06.2024.

Interim relief granted earlier to continue till then.

**SD/-B. SARASWATHI
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 & NTRJ

DATED: 30.01.2024

LIST ON 11.06.2024

ORDER

WP.No.1219 of 2023

EXTENSION OF STAY

