

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

**:PRESENT:
THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA**

**I.A. No. 2 OF 2026
IN
WP NO: 14679 OF 2026**

Between:

M/s. Sri Aditya Homes Private Limited, A Company incorporated under the Companies Act, having its Registered Office at 8-2-332/8/A, Aditya House, Road No. 3, Banjara Hills, Hyderabad - 500034, Telangana. PAN. AAFCS7209B Represented by its Managing Director, Sri V. Kota Reddy, S/o. V. Siva Kota Reddy, Aged about 63 years, R/o. Hyderabad.

...PETITIONER
(Petitioner in WP NO: 14679 OF 2026
on the file of High Court)

AND

1. The Assistant Commissioner of Income Tax, Central Circle - 2(2), Hyderabad, Aayakar Bhavan, Basheerbagh, Hyderabad - 500004, Telangana.
2. The Addl. / Joint Commissioner of Income Tax, Central Range - 2, Hyderabad, Aayakar Bhavan, Basheerbagh, Hyderabad - 500004, Telangana.
3. The Principal Commissioner of Income Tax (Central), Hyderabad, Aayakar Bhavan, Basheerbagh, Hyderabad - 500004, Telangana.

...RESPONDENTS
(Respondents in-do-)

Counsel for the Petitioner : SRI GADDAM ANIKETH REDDY
**Counsel for the Respondents : SRI SRINARAYAN TOSHNIWAL, COUNSEL
APPEARING ON BEHALF OF SRI N. PRAVEEN
REDDY, SENIOR STANDING COUNSEL FOR
INCOME TAX DEPARTMENT.**

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further

action pursuant to the Show Cause Notice bearing DIN No. ITBA/PNL/S/271D/2025-26/1082189425(1) dated 31/10/2025 and the Show Cause Notice bearing DIN No. ITBA/PNL/S/271D/2025-26/1088165341(1) dated 31/03/26, pending disposal of WP No 14679 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard both sides.

This application is filed by the petitioner under Section 151 of Civil Procedure Code, 1908 praying the Court to grant stay of all further proceedings pursuant to the impugned show-cause notice bearing DIN No. ITBA/PNL/S/271D/2025-26/1082189425(1) dated 31.10.2025, and also the second impugned show-cause notice bearing DIN No.ITBA/PNL/S /271D/2025-26/1088165341(1), dated 31.03.2026, issued by respondents.

Taking into consideration the Circular No.10/2016, vide F.No.279/Misc./M-140/2015-ITJ, dated 26.04.2016, issued by the Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, particularly Clause (3) thereof, wherein it has been very clearly envisaged that penalty proceedings flowing from an order passed under Section 271D and 271E of the Income Tax Act, 1961 could only be governed under the provisions of Section 275(1)(c) of the Act so far as limitation is concerned. Whereas, in the instant case, the first show-cause notice issued by the Assessing Authority dated 31.10.2025 (referred above) is therefore apparently contrary to the above Circular and is *prima facie* barred by limitation. Therefore, this Court is inclined to stay further proceedings flowing from the above two impugned show-cause notices (referred above) till the next date of hearing.

Accordingly, there shall be *interim stay* of all further proceedings pursuant to the impugned show-cause notice bearing D.I.N.No. ITBA/PNL/S/271D/2025-26/1082189425(1), dated 31.10.2025, and also the second impugned show-cause notice bearing DIN No.ITBA/PNL/S/271D/ 2025-26/1088165341 (1), dated 31.03.2026, issued by the respondents, until the next date of hearing.

SD/- B.G. VYJAYANTHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Assistant Commissioner of Income Tax, Central Circle - 2(2), Hyderabad, Aayakar Bhavan, Basheerbagh, Hyderabad - 500004, Telangana.
2. The Addl. / Joint Commissioner of Income Tax, Central Range - 2, Hyderabad, Aayakar Bhavan, Basheerbagh, Hyderabad - 500004, Telangana.
3. The Principal Commissioner of Income Tax (Central), Hyderabad, Aayakar Bhavan, Basheerbagh, Hyderabad - 500004, Telangana.

(Addressees 1 to 3 BY SPAD)

4. One CC to SRI GADDAM ANIKETH REDDY Advocate [OPUC]
5. Two spare copies.

HIGH COURT

**PSK, J
&
NNR, J**

DATED: 04-05-2026

ORDER

**I.A. No. 2 OF 2026
IN
WP NO: 14679 OF 2026**



INTERIM STAY