[3163]

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE
: PRESENT:
THE HON'BLE THE ACTING CHIEF JUSTICE M.S.RAMACHANDRA RAO
AND
THE HON'BLE SRI JUSTICE T.VINOD KUMAR

IA No. 1 OF 2021
IN
WP NO: 20664 OF 2021

Between:
Raja Rao Duggirala, S/o. Late Laxmana Raju Duggirala

...Petitioner
(Petitioner in WP 20664 OF 2021
on the file of High Court)

AND

1. The Assistant Commissioner of Income Tax, Central Circle - 3(2), Hyderabad, Aayakar Bhavan, Opposite LB Stadium, Basheerbagh, Hyderabad - 500 004.
2. The Principal Commissioner of Income Tax, Central Circle, Hyderabad, Aayakar Bhavan, Opposite LB Stadium, Basheerbagh, Hyderabad 500 004.
3. Income Tax Officer, Ward -2, Khammam, Income Tax Office, Khammam City, Telangana 507111.
4. The Principal Commissioner of Income Tax - 7, Hyderabad, 2nd Floor, A Block, IT Towers, AC Guards Masab Tank, Hyderabad, Telangana 500004

...Respondents
(Respondents in-do-)

Counsel for the Petitioner: **SRI A V A SIVA KARTIKEYA**
Counsel for the Respondent No. 1 & 2: **SRI B NARASIMHA SARMA**
Counsel for the Respondent No. 3 & 4: **SRI J.V.PRASAD**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay of all further proceedings, including any recovery, pursuant to the Assessment Order passed by the 1st Respondent (DIN and Order No. ITBA/AST/S/153A/2021-22/1032446352(1)), for the Assessment Year 2018 - 19, dated 15.04.2021, pending disposal of WP No. 20664 of 2021, 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 order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"It is the contention of the learned Senior counsel for the petitioner that the transfer of assessment proceedings has been made from the 3rd respondent to the 1st respondent under the jurisdiction of different Principal Commissioners by the 4th respondent in violation of Section 127(1) of the Income-Tax Act, 1961 and consequently the impugned assessment order passed by the 1st respondent is without jurisdiction.

Pending further orders, there shall be interim stay as prayed for.

List on 10.11.2021."

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Assistant Commissioner of Income Tax, Central Circle - 3(2), Hyderabad, Aayakar Bhavan, Opposite LB Stadium, Basheerbagh, Hyderabad - 500 004
2. The Principal Commissioner of Income Tax, Central Circle, Hyderabad, Aayakar Bhavan, Opposite LB Stadium, Basheerbagh, Hyderabad 500 004
3. Income Tax Officer, Ward -2, Khammam, Income Tax Office, Khammam City, Telangana 507111
4. The Principal Commissioner of Income Tax - 7, Hyderabad, 2nd Floor, A Block, IT Towers, AC Guards Masab Tank, Hyderabad, Telangana 500004
   (Addressees 1 to 4 by RPAD)
5. One CC to Sri A V A Siva Kartikeya Advocate [OPUC]
6. Two spare copies

HIGH COURT

Csk
Date of drafting 02.09.2021

HACJ
&
TVKJ

DATED:01/09/2021

NOTE: POST ON 10.11.2021

ORDER

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IN
WP.No.20664 of 2021

INTERIM STAY

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