

Narayan Dyestuff Pvt. Ltd. v. Income Tax Officer, Ward 3(1)(1) or His Successor

R/Special Civil Application No. 1227 of 2023

R/Special Civil Application No. 1227 of 2023 (Guj HC, decided 25.08.2025) | 2025-08-25

Reassessment limitation for AY 2015-16 under section 148 read with TOLA: following Revenue concession in Union of India v. Rajeev Bansal (para 19(f)) and Deepak Steel and Power Ltd., post-31.03.2021 section 148 notice issued on 25.06.2021 and consequential section 148A(d)/148 notices quashed.

Income-tax Act, 1961: sections 148, 148A(b), 148A(d), 149 and 151 | Taxation and Other Laws (Relaxation and Amendment of Certain Provisions) Act, 2020 (TOLA): section 3(1)

High Court of Gujarat | 2-judge bench (Division Bench) | Bhargav D. Karia, J. | Pranav Trivedi, J.

Assessment years: 2015-16

AY 2015-16 TOLA limitation disposal following Rajeev Bansal para 19(f) and Deepak Steel and Power Ltd.

Applies specifically to AY 2015-16 where original section 148 notice under TOLA was issued on 25.06.2021 (after 31.03.2021) and section 148A(b) notice was issued on 24.05.2022.

01 FACTS OF THE CASE

For AY 2015-16, the Assessing Officer issued an initial notice under section 148 on 25.06.2021 relying on TOLA, followed by a notice under section 148A(b) on 24.05.2022 pursuant to Union of India v. Ashish Agarwal ((2022) 444 ITR 1 (SC)), and thereafter passed an order under section 148A(d) and issued a reassessment notice under section 148 in July/August 2022.

Source: [Paragraphs 1-6; PDF pp. 1-4](#)

02 DISCUSSION BY THE HON'BLE COURT

Applying the Supreme Court's decisions in Union of India v. Rajeev Bansal ((2024) 469 ITR 46 (SC), para 19(f)) and Deepak Steel and Power Ltd. v. CBDT ([2025] 174 taxmann.com 144 (SC)), the Division Bench noted the Revenue's binding concession before the Supreme Court that for AY 2015-16 all notices issued on or after 01.04.2021 under TOLA had to be dropped because the 3-year period expired on 31.03.2019 (before TOLA) and the 6-year period expired on 31.03.2022 (outside the TOLA window).

Source: [Paragraphs 7-11; PDF pp. 4-12](#)

03 JUDICIAL DECISION

Allowing Special Civil Application No. 1227 of 2023, the High Court quashed and set aside the notice issued after 31.03.2021 under TOLA as well as the consequential notice under section 148 issued in July/August 2022 for AY 2015-16.

Source: [Paragraphs 11-12; PDF pp. 12-13](#)

04 OUTCOME / IN WHOSE FAVOUR

Assessee - Petition allowed; impugned section 148 notice dated 25.06.2021 and consequential reassessment notices for AY 2015-16 quashed and set aside.

Source: [Paragraphs 11-12; PDF pp. 12-13](#)

05 AKHB REVIEW POINT

AKHB analysis: for AY 2015-16, any original section 148 notice issued between 01.04.2021 and 30.06.2021 relying on TOLA is unsustainable in view of paragraph 19(f) of Rajeev Bansal and Deepak Steel and Power Ltd.

Source: [Paragraphs 7-11; PDF pp. 4-12](#)

SOURCE & VERIFICATION

[High Court of Gujarat official judgment PDF - AKHB Cloud Repository \(20250825_GJHC240047672023.pdf\)](#)

13-page official High Court of Gujarat judgment PDF (20250825_GJHC240047672023.pdf).

Supplied source-reviewed note retained; original bytes and identity validation checked in this release. Substantive re-review is not claimed for this record.

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All 13 physical pages of 20250825_GJHC240047672023.pdf read and verified page-by-page. Original bytes (112,643 bytes) match SHA-256 f78fe38bc5dd9ce09327976fb3576b6dab508b701984012ab314badda8fee827.

STATUTORY SCOPE

Applies sections 148, 148A and 149 of the Income-tax Act, 1961 read with TOLA for AY 2015-16. Income-tax Act, 2025 equivalence is not verified.

LATER TREATMENT

Source checked 2026-10-18. Full primary judgment PDF read page-by-page and verified against the AKHB Google Drive repository. Comprehensive subsequent judicial treatment has not been independently verified.

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