

Estate of Late Rangalal Jajodia v. Commissioner of Income-tax, Madras

Civil Appeal Nos. 2332 to 2335 of 1966 — Estate/executrix appeals concerning section 24B, dismissed and connected proceedings (full list below)

[1971] 2 SCR 807 | 1970-11-19

The limitation saving applied to continued estate assessments after a necessary direction to notify the executrix; the requirement of proper section 24B procedure remained intact.

1922 Act: 2(2) | 1922 Act: 24B(3) | 1922 Act: 34(3), second proviso | 1922 Act: 66(1)

5 Judges | J. C. Shah | G. K. Mitter | K. S. Hegde | A. N. Grover | A. N. Ray

01 FACTS OF THE CASE

Rangalal filed income-tax returns for 1942-43 and 1943-44 and corresponding excess-profits-tax returns, complied with evidentiary notices, and died before assessment. His will named Aruna Devi and Ram Kumar Bhuwalka as executors and disinherited his son Shankarlal. After notice to the son, the officer assessed the estate through named legal representatives, including Aruna Devi. The son produced the will on appeal. The assessment was set aside for fresh assessment on the executors. In 1952 the officer assessed without giving Aruna Devi the requested records and full opportunity to respond. Further appeals disputed limitation and procedure. The High Court held the limitation saving unavailable but section 24B applicable with procedure repeated for her.

Source: [SCR 809-811: death, will, assessments and appeal sequence.](#)

02 DISCUSSION BY THE HON'BLE COURT

Ray J treated the proceedings as having begun during Rangalal's lifetime and continued against his representatives. Aruna Devi was already named in the original assessment as a legal representative; an executor was within that description. The failure to notify her made this assessment defective and correctable, rather than showing an absence of assessment jurisdiction. The appellate direction to assess her according to law was necessary to dispose of the existing proceedings. The Court distinguished Murlidhar Bhagwandas and Prashar: this was neither a direction gratuitously shifting income to another assessment year nor an assessment of a stranger. The proceedings had been set aside, not cancelled, and the necessary direction brought them within the second proviso to section 34(3).

Source: [SCR 812-815D: existing assessee, notice defect, necessary direction and distinguished authorities.](#)

03 JUDICIAL DECISION

The Revenue succeeded on limitation. The estate's challenge to the applicability of section 24B failed: subsection(3) addressed a person dying after filing a return and authorised appropriate notices and evidence from the representative. Revenue did not challenge the High Court's conclusion that the procedure had to be followed afresh for Aruna Devi. The Court's limitation ruling therefore did not validate denial of notice or determine the final tax computation.

Source: [SCR 815E-816B: section 24B and preserved de-novo procedure.](#)

04 OUTCOME / IN WHOSE FAVOUR

Revenue appeals 2336–2339/1966 allowed; estate appeals 2332–2335/1966 dismissed. Limitation did not bar the continued assessments; the executrix's procedural opportunity remained protected. Each party to bear its own costs in all appeals. Limitation and representative procedure decided, not final quantum.

Source: [SCR 816B–C: cross-appeal results and costs.](#)

05 AKHB REVIEW POINT

Check who was actually assessed, how proceedings began and why the appellate direction was necessary. This fact-specific correction of notice to an already identified representative is not blanket authority to assess a deceased person or disregard service requirements. Later legal-representative provisions require their own wording and procedural analysis.

Source: [SCR 813–815: fact-specific notice correction and limits of appellate direction.](#)

APPEAL AND PROCEEDING NUMBERS

Civil Appeal Nos. 2332 to 2335 of 1966 — Estate/executrix appeals concerning section 24B, dismissed / Civil Appeal Nos. 2336 to 2339 of 1966 — Revenue appeals concerning limitation, allowed / Tax Case No. 171 of 1962; Reference No. 96 of 1961 — Originating High Court proceedings; not additional Supreme Court appeals

SOURCE & VERIFICATION

Original reported Supreme Court judgment

10-page retained public-mirror SCR report. The complete report was read as text and page images. The acquisition URL is preserved provenance; current endpoint availability and authentication as a signed original are not newly verified. All ten text/image pages SCR807–816; headnotephysical1–2, Ray opinionphysical2–10; no adjacent case. Physical2 procedural line Madras judgment16August1966 vs opinion16August1965. Physical3 executor/executrix ordering reversed once but subsequent identification clear. Notice references22(4)physical3 vs22(3)physical7 retained. Revenue2336–2339/1966 succeeds limitation;estate2332–2335/1966 dismissed; fresh24Bprocedure unchallenged and retained.

Open cited source rendition

SCR 808 procedural line gives High Court judgment 16 August 1966; opinion gives 16 August 1965.

SCR 809 reverses executor/executrix labels once; subsequent narrative consistently identifies Aruna Devi as executrix.

Initial notice account uses 22(4); SCR 813 later prints 22(3); no silent statutory-reference repair.

STATUTORY SCOPE

Indian Income-tax Act, 1922: sections 2(2), 24B(3), 34(3), second proviso, and 66(1). The judgment also refers to Excess Profits Tax Act, 1940, section 30 in the associated assessments' notice history (physical page 3 / SCR 809C-D); no independent verification of the 1940 statutory text is claimed.

The separately dated 1990 section 159 text expressly continues pre-death proceedings from their existing stage and limits estate liability, subject to exceptions. The request for the 2025 HTML rendition failed with 403; the latest 1961 version is not certified.

Section 302 expressly addresses continuation, new proceedings, deemed-assessee status and estate/personal-liability limits. It does not reproduce 1922 section 24B(3) and does not itself resolve the historical section 34(3) direction or modern service validity.

The operative historical law governs this holding. The 2025 Act generally commences on 1 April 2026; the selected section 536 savings preserve earlier operations, rights and specified proceedings for earlier tax years. Only stated passages and versions were read. No complete savings, amendment-history or present-case applicability assessment is claimed.

Other provisions addressed: Excess Profits Tax Act, 1940, section 30: referenced by the judgment at physical page 3 / SCR 809C-D in its notice history for the parallel assessments; the 1940 statutory text was not independently verified.

LATER TREATMENT

Source checked 2026-10-08. No specific later judicial treatment is adopted; this is not a finding that later treatment is absent.

Comprehensive subsequent history and present-law applicability remain unverified.

Primary authorities cited within this judgment are not later-use evidence.

IDENTIFIED SOURCE LINKS

[Income-tax Act,2025: commencement and selected savings](#)

As amended by Finance Act,2026 1(1)-(3),web0-13;536(1),(2)intro/(a)-(e),24385-24408 and(3)-(4),24597-24601;not whole536. Exact stated retained text read personally. No raw statutory PDF/HTML or page-image reading, whole-Act review or automatic present-case applicability is asserted.

[Income-tax Act,1961: legal representatives](#)

Displayed1990,not latest1961version Complete159(1)-(6),web69-82. Attempted2025rendition returned403;no body read. Exact stated retained text read personally. No raw statutory PDF/HTML or page-image reading, whole-Act review or automatic present-case applicability is asserted.

[Income-tax Act,2025: legal representative](#)

As amended by Finance Act,2026 Complete302(1)-(7),web16363-16389. Exact stated retained text read personally. No raw statutory PDF/HTML or page-image reading, whole-Act review or automatic present-case applicability is asserted.

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