Court No. - 32

Case :- WRIT TAX No. - 606 of 2018

Petitioner :- Rahul Gupta
Respondent :- Chief Commissioner Of Income Tax And 03 Others
Counsel for Petitioner :- Rishi Raj Kapoor
Counsel for Respondent :- S.S.C.

Hon'ble Krishna Murari,J.
Hon'ble Ashok Kumar,J.

Sri Manu Ghildyal, Advocate has filed his appearance slip on behalf of respondents, which is taken on record.

Heard Sri Rishi Raj Kapoor, learned counsel for the petitioner and Sri Manu Ghildyal, learned counsel for the respondents-Department.

By means of the present writ petition the petitioner has challenged the notice issued under Section 221(1) of the Income Tax Act, 1961 dated 01.02.2018 by which the Assessing Authority has pressed for demand of Rs. 4,04,39,960/- for the assessment year 2015-2016.

The contention of the learned counsel for the petitioner is that against the assessment order the petitioner has filed an appeal before the Commissioner of Income Tax (Appeal), Muzaffarnagar and he has also filed an application under Section 220(6) of the Income Tax Act before the Assessing Authority on 27th March, 2018. The counsel for the petitioner has submitted that the said application filed under Section 220(6) of the Act is still pending. Till date no decision has been taken by the Assessing Authority. Hence the present writ petition.

We have heard the learned counsel for the parties and perused the record. The writ petition is finally disposed of with the direction to the Assessing Authority, respondent no. 2 to decide the application filed under Section 220(6) of the Act (annexure-7) dated 27th March, 2018 within a period of two weeks from the date the certified copy of the order of this Court is placed before the respondent no. 2.

Till the decision taken on the aforesaid application, no coercive steps be taken against the petitioner by the respondents.

The petitioner undertakes to file a certified copy of this order before the respondent no. 2 within a period of one week from today.

Order Date :- 10.4.2018
SK Srivastava

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(Ashok Kumar,J.) **(Krishna Murari,J.)**