

Court No. - 29

Case :- WRIT TAX No. - 371 of 2020

Petitioner :- Sh. Shalabh Kumar Sharma

Respondent :- The Commissioner Of Income Tax (Appeal)
And 3 Others

Counsel for Petitioner :- Laxmi Narayan Mishra

Counsel for Respondent :- A.S.G.I.,C.S.C.,Krishna
Agarawal,S.S.C.

Hon'ble Pankaj Mithal,J.

Hon'ble Surya Prakash Kesarwani,J.

On the last occasion, after hearing Sri H.K. Chaturvedi, learned counsel for the petitioner and Sri Krishna Agrawal, learned counsel for the respondents-Income Tax Department, we had directed Sri Krishna Agrawal, learned counsel for the respondents-Income Tax Department to seek instructions within which the pending appeal of the petitioner can be decided.

Today matter has been taken up through Video Conferencing, Sri H.K. Chaturvedi, learned counsel for the petitioner is present. We are not aware, if any instructions have been received by Sri Krishna Agrawal, learned counsel for the respondents-Income Tax Department.

In view of the above, instead of keeping the matter pending, in the interest of justice, we dispose of the writ petition with the direction to the Commissioner of Income Tax (Appeal), Agra, U.P., respondent no.1 to decide the statutory appeal of the petitioner filed on 11.01.2020 against the assessment order dated 26.12.2019, most expeditiously, preferably within six weeks from the date a copy of this order is produced before him, provided the office of Commissioner of Income Tax (Appeal), Agra, U.P., respondent no.1 is regularly working and is not closed due to COVID-19 Pandemic. In case office of respondent no.1 is not working, the appeal would be decided within six weeks from the date working is resumed. It is expected that in any case, stay application pending in appeal shall be dealt with by the officer within the aforesaid time, if for inevitable reason, it is not possible to deal with the appeal on merits.

Writ petition stands **disposed of**.

Order Date :- 23.7.2020

T.S.