

(2025) 05 P&H CK 1266
In the Punjab And Haryana At Chandigarh
Case No : CWP Of 12768 Of 2025

Anju Sharma

APPELLANT

Vs

Income Tax Officer, Ward I, Jind and ors RESPONDENT

RESPONDENT

Date of Decision : 06-05-2025

Acts Referred:

Income Tax Act, 1961 — Section 147, 148

Citation : (2025) 05 P&H CK 1266

Hon'ble Judges : Lisa Gill, J;Sudeepti Sharma, J

Bench : Division Bench

Advocate : Vishav Bharti Gupta, Mamta Gupta, Gauri Neo Rampal, V. Vedika Rao

Final Decision : Disposed Of

Judgement

Sudeepti Sharma, J

1. Challenge in the instant writ petition is to notice dated 23.03.2024 issued under Section 148 of the Income Tax Act, 1961 (for short 'Act 1961'); assessment order dated 27.03.2025 issued under Section 147 of the Act, 1961; demand notice dated 27.03.2025 and all consequential actions, for AY 2020-2021.

2. Learned counsel for the petitioner contends that the issue involved in the present writ petition is covered by the judgment passed by a Co-ordinate Bench of this Court in the cases of Jatinder Singh Bhangu vs. Union of India and others, passed in CWP No. 15745-2024 and connected matter, decided on 19.07.2024 and Jasjit Singh vs. Union of India and others (CWP No. 21509-2023 and other connected matters), decided on 29.07.2024 .

3. Learned counsel appearing for Union of India has also not disputed the same.

4. We have heard learned counsel for the parties and perused the whole records of the case.

5. The petitioner has challenged the notice dated 23.03.2024 issued under

Section 148 of the Act, 1961; assessment order dated 27.03.2025 issued under Section 147 of the Act, 1961; demand notice dated 27.03.2025 and all consequential actions, for AY 2020-2021, on the ground that the Issuing Authority had no jurisdiction to issue the same, in view of the circular/notification dated 29.03.2022 of the CBDT, wherein, it has been specifically enumerated that the NFAC has exclusive power to issue the notice under Section 148 of the Act, 1961.

6. A Co-ordinate Bench of this Court in Jatinder Singh Bhangu's case (supra) and Jasjit Singh's case (supra), allowed the writ petitions on the same issue, as raised in the present writ petition, by granting liberty to the revenue to follow the procedure as laid down under the Act, 1961 and proceed accordingly, if so advised.

7. In view of the above, the present writ petition is disposed of, in terms of Jatinder Singh Bhangu's case (supra), decided on 19.07.2024 and Jasjit Singh's case (supra), decided on 29.07.2024

8. All the pending applications, if any, also stand disposed of.