



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

128

CWP-24954-2025

Date of Decision: 27.08.2025

UMESH KUMAR KHAITAN

.....Petitioner

Versus

ASSISTANT COMMISSIONER OF INCOME TAX CENTRAL
CIRCLE 2 CHANDIGARH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MS. JUSTICE LAPITA BANERJIPresent:- Mr. Kartik Bansal, Advocate and
Mr. Harsh Vardhan Shehrawat, Advocate,
for the petitioner.Mr. Yogesh Putney, Sr. Standing Counsel, with
Mr. Vaibhav Gupta, Jr. Standing Counsel, and
Mr. Vidul Kapoor, Jr. Standing Counsel,
for Income Tax Department.

DEEPAK SIBAL, J. (Oral)

1. Challenge made through the instant petition is to the notice dated 31.03.2025 (Annexure P-1) issued to the petitioner by the respondents under Section 148 of the Income Tax Act, 1961. The primary ground of challenge raised by the petitioner is that the impugned notice has been issued by the Jurisdictional Assessing Officer which could not have been done because in terms of the notification dated 29.03.2022 (Annexure P-2), issued by the Ministry of Finance, Government of India, the impugned notice could have been issued only by way of faceless assessment.

2. In support of his afore submission, learned counsel for the petitioner places reliance on the following two judgments of this Court:-

- i. CWP-15745-2024, titled **Jatinder Singh Bhangu** Vs. **Union of India and others**, decided on 19.07.2024; and



- ii. CWP-21509-2023, titled Jasjit Singh Vs. Union of India and others, decided on 29.07.2024.
3. Learned counsel for the respondents does not dispute the fact that the case of the petitioner is covered in his favour by the law laid down through the aforesaid two judgments rendered by two different co-ordinate Benches of this Court in Jatinder Singh Bhangu and Jasjit Singh (*supra*).
4. In the light of the above, in terms of the law laid down in Jatinder Singh Bhangu's and Jasjit Singh's cases (*supra*), the impugned notice dated 31.03.2025 (Annexure P-1) issued by the Jurisdictional Assessing Officer, is hereby quashed with liberty to the respondents to proceed against the petitioner in accordance with law.
5. The petition is allowed in the above terms.

[DEEPAK SIBAL]
JUDGE

27.08.2025

Jyoti Thakur

[LAPITA BANERJI]
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No