IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 6429 OF 2026

Between:

Raja Reddy Sannareddy, S/o. Late S. Balakrishna Reddy aged about 64 years, Occ: Consultant R/o. 1-89/G/FL/E/114, E Block 114 Fresh Living Apartments, Image Hospital Lane Vittal Rao Nagar, Madhapur, Hyderabad Telangana - 500081

...PETITIONERS

AND

1. Assessment Unit, Income Tax Department National Faceless Assessment Centre Government of India, Jawaharlal Nehru Marg Block B, Press Enclave, Savitri Nagar New Delhi - 110002
2. Union of India, Ministry of Finance Represented by its Secretary North Block, New Delhi-110001

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ Order or Direction more particularly in the nature of Writ of Mandamus declaring the impugned Assessment Order having DIN No. ITBA/AST/S/144/2025-26/1085550778(1) dated 03-02-2026 passed by 1st respondent for A.Y.2024-25 as illegal, arbitrary, violative of principles of natural justice, invalid and violative of Articles 14, 19 (1) g and 265 of Constitution of India and consequently set aside the same and all consequential proceedings.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay collection of tax and interest and stay all further proceedings pursuant to the impugned Assessment Order having DIN No. ITBA/AST/S/144/2025-26/1085550778(1) dated 03-02-2026 passed by 1st respondent for A.Y.2024-25.

Counsel for the Petitioners: Mr. C.V.NARASIMHAM SR COUNSEL FOR Mr. MOHD MUKHAIRUDDIN

Counsel for the Respondent No.1: BOKARO SAPNA REDDY, SENIOR SC FOR INCOME TAX

Counsel for the Respondent No.2: Mr. PUJLIMAMIDI SHASHIDHAR REDDY

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No.6429 of 2026

DATED: 03.03.2026

Between:

Raja Reddy Sannareddy S/o. Late S.Balakrishna Reddy

... Petitioner

AND

Assessment Unit, Income Tax Department
National Faceless Assessment Centre,
Government of India, Jawaharlal Nehru Marg,
Block B, Press Enclave, Savitri Nagar,
New Delhi – 110 002 & another

... Respondents

ORDER:

Heard Mr. C.V.Narasimham, learned Senior Counsel representing Mr. Mohd. Mukhairuddin, learned counsel appearing for the petitioner, Ms. Bokaro Sapna Reddy, learned Senior Standing Counsel for Income Tax Department appearing for respondent No.1 and Mr. Pujlimamidi Shashidhar Reddy, learned counsel appearing for respondent No.2.

2. Petitioner seeks to challenge the assessment order dated 03.02.2026 having DIN No.ITBA/AST/S/144/2025-26/1085550778(1) passed by 1st

respondent for assessment year 2024-25 as illegal, arbitrary and violative of principles of natural justice. Petitioner has also sought interim protection. The case of the petitioner was selected for scrutiny under Section 143(3) of the Income Tax Act, 1961 (hereinafter referred to as 'the Act') under CASS scheme due to the following reason:

"1. Large Exemption under category others in schedule EI (Old Tax Regime)."

3. The details of opportunities granted to the petitioner at para 2 of the assessment order are extracted hereunder:

Type of notice/ communication	Date of notice/ communication	Date of compliance given	Response of the assessee received/ not received	Date of response if received	Response type (full/part/ adjournment)	Remarks if any
Notice u/s. 143(2)	23.06.2025	08.07.2025	Received	05.07.2025	Part	-
Intimation letter	23.06.2025	-	-	-	-	Assessee was informed that proceedings will be conducted in faceless manner.
Notice u/s. 142(1)	03.09.2025	18.09.2025	Received	18.09.2025	Part	Adjournment request
Issue letter	24.09.2025	01.10.2025	Not Received	-	-	-
AU-1	09.10.2025	5 Days	Not Received	-	-	-
Show Cause Notice u/s. 144	06.11.2025	14.11.2025	Not Received	-	-	-
Show Cause Notice	17.12.2025	28.12.2025	Not received	-	-	-

4. Petitioner sought an adjournment to the notice dated 03.09.2025 on health grounds. Petitioner was admitted in Medicover Hospital for stent insertion on 22.10.2025 that was followed by show cause notices dated 06.11.2025 and 17.12.2025 by the 1st respondent. Petitioner contends that he had undergone eye

surgery on 30.01.2026. Again on 02.02.2026, a request for adjournment was made informing medical ailments and medical reports were filed. On the same day, an e-mail acknowledgment was received from the Income Tax Department for the adjournment request dated 02.02.2026. On 04.02.2026 petitioner submitted written submissions and also copies of documents which are Annexures P-14 and P-15. However, the assessment order dated 03.02.2026 was passed and though issued on 06.02.2026 without considering the documents filed along with the reply dated 05.07.2026 and written submissions dated 04.02.2026. Therefore, there is a violation of principles of natural justice.

5. Learned counsel for the petitioner has also questioned the designation of the Assessing Officer in the assessment order which has been signed by the Assessment Unit, Income Tax Department and issued on 06.02.2026. Learned counsel for the petitioner has taken this Court to the provisions of Sections 2(7A), 120 and 144B of the Act in order to submit that even in case of a faceless assessment, the designation of the assessing authority ought to have been indicated, otherwise the whole exercise could be performed by anyone including a ministerial staff which raises questions on the whole exercise of assessment conducted in a faceless manner.

6. Learned counsel for the petitioner further relies upon the decision rendered by the Apex Court in the case of **Tin Box Company, New Delhi v.**

CIT, New Delhi[1] in order to submit that the assessee should have been given a reasonable opportunity of setting out his case. He has also referred to the decision rendered by Gujarat High Court in the case of **Chatursinh Javanji Chavda v. The Assistant Commissioner of Income Tax, Central Circle 1 (2)**[2] wherein it was held that the Assessing Officer was obliged to consider the reply furnished by the assessee and pass an assessment order dealing with the objections raised by the assessee with regard to the additions proposed in the show cause notice, otherwise the framing of the assessment order would be futile exercise contrary to Section 144B of the Act. Therefore, the assessment order may be set aside.

7. Learned Senior Standing Counsel for Income Tax Department has drawn the attention of the Court to the details of opportunities granted in favour of the petitioner as reflected at para 2 of the assessment order. She has also taken this Court to the show cause notice dated 17.12.2025 as to why the proposed additions should not be made. She submits that the assessee did not submit his response through registered e-filing account by the designated hours on 28.12.2025. He also did not make any request to seek video conferencing on that day as required under the show cause notice. It is further pointed out from the discharge summary issued by Medicover Hospital at page 155 that the petitioner had been discharged on 24.10.2025 itself. Reference is also made to

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[1] (2001) 9 SCC 725
[2] 2024 (6) TMI 692

the letter of the Medicover Hospital. It is submitted that the Assessment Unit issues the order under the faceless scheme as prescribed under Section 144B of the Act. Reference is also made to the relevant provisions of Section 144B of the Act specially Sub-Sections (3), (4), (5) and (6) thereof in order to submit that it is the Assessment Unit through which any communication order both by the National Faceless Assessment Centre and Response by the assessee have to be submitted. It is submitted that the allegation that the order was antedated is no where made out as the cut-off date for passing the assessment order was much after 06.02.2026 when it was issued with a DIN number. Therefore, petitioner otherwise has an alternative remedy of appeal where all such documents and reply, if any, filed by the petitioner can be taken as a ground. Therefore, this Court may not interfere in the assessment order.

8. We have heard learned counsel for the parties at length and gone through the impugned assessment order. We have also taken note of the materials placed on record including the relevant provisions of the Income Tax Act, 1961 dealing with faceless assessment.

9. It appears from perusal of the assessment order that the show cause notice was issued on the petitioner asking as to why proposed variation should not be made on 17.12.2025. Instead of responding to the said notice by the designated date 28.12.2025, petitioner has been taking adjournments. Petitioner also did not click the Seek Video Conferencing button on 28.12.2025 for having an

opportunity of hearing. In those circumstances, the Assessment Unit under the National Faceless Assessment Centre proceeded to pass the assessment order taking into consideration the summary of the information collected, Form 26AS, AIS and information available on the Insight Portal. Notices were also issued under Section 133(6) of the Act to the partnership firms wherein the assessee was a partner during the year under consideration to obtain documents relating to exempt income claim by the assessee.

10. We are, therefore, of the view that the contention of the petitioner that the assessment order was passed without proper opportunity to the petitioner is not made out. Petitioner himself has failed to avail the opportunity of personal hearing despite notices issued one after the other. In fact, the plea of medical grounds does not seem to be tenable as the petitioner was discharged as early as on 24.10.2025 whereas the notice for submitting his response was dated 17.12.2025. The Assessment Unit has a deadline to complete assessments. In such cases, therefore, request for repeated adjournments cannot be allowed in a routine manner. We are also of the opinion that in view of the Faceless Assessment Scheme under Section 144B of the Act, it is the Assessment Unit through which such notices, orders etc., are communicated to the assessee. The assessee is also required to submit its response to the Assessment Unit. Therefore, the plea raised by the petitioner that the assessment has not been

conducted by the Proper Officer as it is not reflected in the assessment order dated 03.02.2026 digitally signed by the Assessment Unit cannot be accepted.

11. For all the above said reasons, this Court is, therefore, not inclined to interfere in the impugned assessment order. Petitioner has an efficacious alternative remedy of appeal where he is at liberty to raise all such grounds on merits and in law.

12. The instant Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

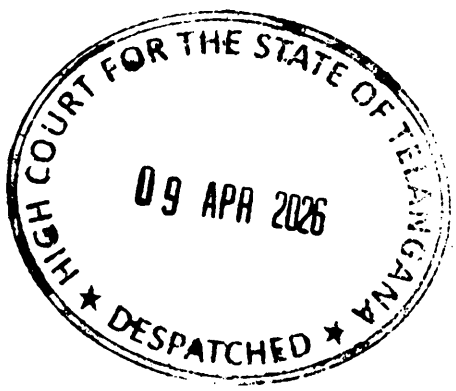
To,

1. One CC to SRI MOHD MUKHAIRUDDIN, Advocate [OPUC]
2. One CC to SRI BOKARO SAPNA REDDY, SENIOR SC FOR INCOME TAX [OPUC]
3. One CC to SRI PUJLIMAMIDI SHASHIDHAR REDDY, Advocate [OPUC]
4. Two CD Copies

PMK
BS

HIGH COURT

DATED:03/03/2026



ORDER

WP.No.6429 of 2026

DISMISSING THE WRIT PETITION WITHOUT COSTS

6 copies
KS
11/4/26