

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF SEPTEMBER, 2015

PRESENT

THE HON'BLE MR. SUBHRO KAMAL MUKHERJEE
ACTING CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE B.V.NAGARATHNA

Writ Petition Nos.41109 and 41110 of 2015 (T-IT-PIL)

Between:

1. Karnataka State Chartered
Accountants Association
Represented by its President
Sri.Dileep Kumar T.M.
Aged about 49 years
No.7/8, 2nd Floor, Shoukath Building
SJP Road, Bangalore -- 560 002
2. Sri.Raveendra S.Kore
Chartered Accountant
Aged about 36 years
Son of Sangappa Kore
F-203, Maruthi Enclave
Balaji Layout, Malathahalli
Nagarghavi, Bangalore - 560 056

... Petitioners

(By Sri.D.N.Nanjunda Reddy, Senior Advocate
for Sri.Shankar, A, Advocate)

And:

1. Union of India
Represented by its Secretary

Ministry of Finance
Department of Revenue
South Block
New Delhi – 110 001

2. Central Board of Direct Taxes
Represented by its Chairman
Department of Revenue
4th Floor, Jeevan Deep Building
Parliament Street
New Delhi – 110 001

... Respondents

(Sri.Prabhuling K.Navadgi, Assistant Solicitor General
for respondent No.1
Sri.K.V.Aravind, Standing Counsel for respondent No.2)

These Writ Petitions are filed under Articles 226 and 227 of the Constitution of India praying to declare the decision of the respondent Nos.1 and 2 vide its press release dated 9.9.2015 vide Annexure-A as null and void and in contravention of the provisions of Part III of the Constitution of India, by virtue of which, the respondent Nos.1 and 2 has not extended the date of filing of returns due by 30.9.2015 for assessment year 2015-16 for certain categories of assessee's including companies and firms and individuals engaged in proprietary business/profession, etc., whose accounts are required to be audited in terms of the Income Tax Act, 1961, and, etc.

These petitions coming on for Orders this day, ***the Acting Chief Justice*** made the following:

ORDER

In these writ petitions, the writ petitioners are asking for some extension of time for submission of income tax returns in

respect of certain categories of assesses, including the companies, firms and individuals, engaged in proprietary business/profession, whose accounts are required to be audited in terms of the Income Tax Act, 1961.

2. It is a domain of the Indian Government and the Central Board of Direct Taxes.

3. We direct the Central Board of Direct Taxes to consider the representation at Annexure-'C' to these writ petitions dated September 15, 2015, peremptorily by September 29, 2015.

4. With this direction, the writ petitions stand disposed of.

5. We make no order as to costs.

**Sd/-
ACTING CHIEF JUSTICE**

**Sd/-
JUDGE**

AHB