

SC to examine time-limit for initiating revision post-reassessment on issues not reassessed

Feb 22, 2024

SC indicates to examine validity of revisionary proceedings with respect to limitation period on issues not forming part of the reassessment conducted earlier and interpretation of the term 'order sought to be revised' occurring in Section 263; The Revenue's lead SLP is against [Madras HC judgment](#) wherein the HC held that when CIT invokes his revisionary jurisdiction under Section 263 on issues which are not considered in the reassessment order, the time limit for invoking the revisionary jurisdiction will run from the date of the original assessment order and not from the reassessment order; Thus, HC quashed the notice of revisionary proceedings as being hit by limitation; Before SC, Assessee submits that the Revenue took benefit of reassessment order for extending the period of limitation for revision on the issues which already attained finality (by Section 143(1) intimation in one case and by Section 143(3) order in the other case) and were not part of reassessment proceedings; Revenue submits that the intimation is not an order and it gets merged into the reassessment order, thus, the latter would be relevant to construe limitation under Section 263; As parties made oral submissions based on judgments in [Alagendran Finance](#), [Sun Engineering](#) and [Rajesh Jhaveri](#), SC grants time to file written submission and lists the matter on Apr 30, 2024

The matter is before the Division Bench of the Supreme Court comprising Justice P.S. Narasimha and Justice Aravind Kumar.

ASG N. Venkataraman, Senior Advocates Rupesh Kumar and Nisha Bagchi, Advocates Zoheb Hossain, Shantnu Sharma, Advitya Awasthi and AOR Raj Bahadur Yadav are appearing for the Revenue while the Assessee is being represented by Senior Advocate R.V. Easwar along with Advocates K.V. Mohan, R.K. Raghavan, K.V. Balakrishnan and AOR K. V. Mohan.