

Ess Ess Kay Engineering Co. P. Ltd. vs Commissioner Of Income-Tax on 23 July, 1997

Equivalent citations: [2001]247ITR818(SC), AIR ONLINE 1997 SC 39, (2001) 166 CUR TAX REP 396, (2001) 247 ITR 818, (2002) 124 TAXMAN 491, 2001 (10) SCC 189

Bench: S.C. Sen, S.P. Kurdukar

ORDER

1. This is a case of reopening. We have perused the documents. We find there was material on the basis of which the Income-tax Officer could proceed to reopen the case, it is not a case of mere change of opinion. We are not inclined to interfere with the decision of the High Court merely because the case of the assessee was accepted as correct in the original assessment for this assessment year. It does not preclude the Income-tax Officer to reopen the assessment of an earlier year on the basis of his findings of fact made on the basis of fresh materials in the course of assessment of the next assessment year. The appeal is dismissed. No order as to costs.