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Reassessment-Reason to believe. *In K.G. Hotels (P) Ltd. vs. Asstt . CIT* it was held that since there was no information or reasons to believe with the assessing officer that income has escaped assessment hence reopening of the case was invalid. Therefore notice issued by the AO under section 148 was quashed. It was further held that under section 68 every loan or capital receipt is not chargeable to tax. To be held income under section 68 if the sum is unexplained of its nature and source then only it is chargeable to tax.



Section 158BA – In *CIT vs. Binoy Mithai (2008) 9 DTR (Ker) 38* it was observed that failure of the revenue to produce warrants of authorization of search. In spite of a number of opportunities having been given revenue failed to produce warrants of authorization and therefore Tribunal drew an adverse influence against the revenue that warrants were never issued and set aside block assessment proceedings. Revenue filed warrants with its grounds before the High Court. High Court framed question of law as to whether in view of the subsequent production of warrants of authorization issued under section 132, the Tribunal ought to be directed to reconsider the appeal filed by the assessee afresh.