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PRESS RELEASE

Date: 7th April, 2026

Case No.: R/Special Civil Application No. 16428 of 2025

Court: Hon'ble High Court of Gujarat at Ahmedabad

Bench: Hon'ble Mr. Justice A.S. Supehia & Hon'ble Mr. Justice Pranav Trivedi

Subject: Non-compliance by CBDT with Court Directions; Failure to Release ITR Utilities on Time

Gujarat High Court Pulls Up CBDT for 11 Years of Non-Compliance; Directs Affidavit with Remedial Measures

Surat, 7th April 2026: In a significant development, the Hon'ble High Court of Gujarat has taken serious cognizance of the Central Board of Direct Taxes' (CBDT) persistent failure to comply with judicial directions issued over a decade ago, and has directed the respondent-Department to file an affidavit suggesting concrete measures to resolve systemic issues plaguing the Income Tax e-filing portal.

Background

The Chartered Accountants Association, Surat (CAAS), represented by its President CA Hardik Kakadiya (who appeared in person), along with Advocate Dr. Avinash Poddar, had filed Special Civil Application No. 16428 of 2025 raising critical issues including: delayed release of ITR forms and utilities, persistent portal glitches crippling compliance, arbitrary pre-filing validations not backed by statute, and wrongful levy of interest on taxpayers prevented from complying due to portal failures.

The Court's Observations

The Hon'ble Court noted with concern that despite the landmark direction issued in SCA/15075/2015 (All Gujarat Federation of Tax Consultants vs. CBDT, decided on 29.09.2015) — wherein CBDT was directed to ensure that forms and utilities for e-filing of income tax returns are ordinarily made available by the 1st



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day of April every assessment year — the Department has failed to comply even after the passage of 11 years.

Justice A.S. Supehia, speaking for the Bench, recorded that the petitioner has raised “very serious issues relating to the functioning of the respondent-Department and the hurdles faced due to non-compliance with the orders of this Court as well as due to the lack of proper technical monitoring of the portal.”

Directions Issued

The Hon’ble Court has directed CBDT to file an affidavit before the next date of hearing, suggesting measures to resolve the issues raised in the writ petition, with a clear warning that failure to do so will invite “a serious view” from the Court. The matter has been listed on 27th April 2026, at the top of the Board, signalling the urgency and gravity with which the Bench is treating the matter.

Statement by CAAS President

CA Hardik Kakadiya, President of CAAS, stated: “This petition was never about seeking extension of due dates. It is about systemic accountability. For over a decade, the tax administration has failed to provide basic infrastructure on time, and taxpayers and professionals bear the brunt. Today’s order vindicates our stand that this is a continuing wrong requiring judicial intervention. We are grateful to the Hon’ble Court for taking cognizance and we trust that this will lead to lasting reform in the functioning of the Income Tax portal.”

What This Means for Taxpayers and Professionals

The order is a watershed moment for the entire taxpaying community. As on 7th April 2026 — the 7th day of Assessment Year 2026-27 — not a single ITR utility or schema has been released by CBDT, and the portal cannot accept any income tax return. CAAS has been consistently raising these issues on behalf of its 4,000+ members and the larger community of Chartered Accountants and tax practitioners across India. CAAS acknowledges the support of 24+ professional and trade bodies across India who have made similar representations to CBDT on portal-related issues.

Note: A copy of the Court Order dated 07.04.2026 is enclosed for reference.

CAAS