

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3867 OF 2015

Tahnee Heights CHS Ltd. .. Petitioner.
Vs.
The Union of India & Anr. .. Respondents.

Mr. Prakash Shah with Ms.Niyati Hakani i/b PDS Legal for the
Petitioner.

Mr. A.R. Malhotra for the Respondents.

**CORAM : S.C. DHARMADHIKARI AND
A.K. MENON, JJ.**

DATED : 20TH APRIL, 2015.

P.C. :

1. At the request of Mr.Shah and on instructions this writ
petition is allowed to be withdrawn with liberty to file an appeal
before the Commissioner of Income Tax (Appeals). Mr.Shah states
that such an appeal would be filed within two weeks from today.

2. To enable the Petitioner's Advocate to file such an
appeal, while granting leave to withdraw this writ petition with
liberty to prosecute that appeal, we direct that for a period of
four weeks from today the notice of demand under section 156 of

the Income Tax Act, 1961 should not be enforced and no coercive measures shall be initiated to recover the amounts which are subject matter of demand notice. This order is passed without prejudice to the rights and contentions of both sides. We clarify that we have not expressed any opinion on merits of the controversy.

(A.K. MENON,J.)

(S.C. DHARMADHIKARI,J.)