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

WRIT PETITION NO.1632 OF 2015

K. R. C. Employees Union & Anr.

..Petitioners

-Versus-

The Konkan Railway Corporation Ltd. & Ors.

..Respondents

.....

Mr. Saikumar Rammurthy for the Petitioners.

Ms. Kiran Bhagalia for the Respondent Nos.1 to 3.

Mr. Suresh Kumar for the Respondent Nos.4 and 5.

.....

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

DATE :- 8th APRIL, 2015.

PC.:

After the Writ Petition heard for some time, on instructions from the President of the Petitioner No.1 Union and present in Court, Mr. Rammurthy seeks leave to withdraw this Writ Petition with liberty to all individual employees of the Konkan Railway Corporation including office bearers and members of the Petitioner No.1 association, to approach the Competent Authority under the Income Tax Act, 1961 and raise a dispute with regard to the deduction and which has been made allegedly from the salaries payable month to month to such employees of the Konkan Railway Corporation. While raising a dispute before the Competent

Authority and in accordance with the Income Tax Act, 1961, it would be open for the aggrieved assesseees/employees to urge that the perquisite does not fall and within the meaning of section 17(1)(iv) and section 17(2) Explanation 1 clause (b) read with Rule 3 of the Income Tax Rules, 1962. All contentions of such persons and of the above nature are kept open. The Writ Petition is allowed to be withdrawn with such liberty.

(A. K. MENON, J.)

(S. C. DHARMADHIKARI, J.)

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