

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 13709 of 2015

Date of decision: 02.11.2015

M/s Drive India Enterprises Solutions Ltd.

..... Petitioner

Versus

State of Punjab and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Avneesh Jhingan, Advocate for the petitioner.

Mr. Jagmohan Bansal, Addl. AG, Punjab.

AJAY KUMAR MITTAL, J. (ORAL)

Challenge in this writ petition filed under Articles 226/227 of the Constitution of India, is to the assessment order dated 29.05.2015 (Annexure P-1).

2. Learned counsel for the petitioner submitted that the assessment order dated 29.05.2015 (Annexure P-1) is an appealable order. He, however, prays for withdrawal of instant writ petition, with liberty to file an appeal before the appropriate authority within a period of 30 days from today.

3. Learned State counsel does not seriously dispute the prayer of the petitioner to avail the alternative remedy of appeal, in case the same is filed within 30 days.

4. In view of the above, the instant petition is dismissed as

withdrawn. However, liberty is granted to the petitioner to file an appeal challenging the assessment order dated 29.05.2015 (Annexure P-1) within a period of 30 days from today. It is directed that in case the appeal is filed within 30 days from today, the same shall not be dismissed on the ground of limitation.

**(AJAY KUMAR MITTAL)
JUDGE**

November 02, 2015
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**(RAMENDRA JAIN)
JUDGE**