

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 25472 of 2015
Decided on : 05.12.2015**

Haryana State Industrial and Infrastructure
Development Corporation Limited

. . . Petitioner

Versus

Assistant Commissioner of Income Tax, Panchkula

. . . Respondent

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

PRESENT: Mr. Padamkant Dwivedi, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuing a writ in the nature of *Certiorari* for quashing the impugned letter dated 30.10.2015 (Annexure P-7) rejecting the prayer of the petitioner for keeping the penalty proceedings, under Section 271(1)(C) of the Income Tax Act, 1961 (for brevity 'the Act'), in abeyance till the disposal of the appeal under Section 253 of the Act, which has been preferred by the petitioner before the Income Tax Appellate Tribunal (in short 'ITAT').

2. After arguing for sometime, learned counsel for the petitioner states that he may be allowed to withdraw the present writ petition with liberty to the petitioner to file an application before the appropriate authority by incorporating the grievance as raised in the present writ petition

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to it in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAMENDRA JAIN)
JUDGE**

December 05, 2015

J.Ram