

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

WRIT PETITION NO.2701 OF 2016

Nile Industries Pvt. Ltd. .. Petitioner.
Vs.
The Union of India & Ors. .. Respondents.

Mr. Prakash Shah with Mr. Jas Sanghvi with Mr. Aansh Desai i/b
PDS Legal for the petitioner.
Mr. Arvind Pinto for respondent nos.1 and 2.
Mr. Amit Surve with Ms. Anushka Jasuja i/b Fortune Law Associates
for respondent nos.3 and 4.

**CORAM : M. S. SANKLECHA &
A.K. MENON , JJ.**

DATED : 27TH APRIL, 2016

P.C. :

1. This petition challenges the order dated 20th March, 2014 issued by the Tax Recovery Officer under Rule 48 of the Second Schedule of the Income Tax Act, 1961 (the 'Act'). The impugned order attaches the immovable property which the petitioners claim to have purchased prior to the impugned order.

2. After the matter was heard for sometime, Mr. Shah seeks to withdraw the petition with liberty to approach the Tax Recovery Officer under Rule 11 of Second Schedule of the Act and

object to the impugned order dated 20th March, 2014. Liberty as prayed for is granted. All contentions are kept open.

3. Writ petition is disposed as withdrawn with liberty as aforesaid.

(A.K. MENON,J.)

(M. S. SANKLECHA,J.)