

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO.2019 OF 2016****IN****WRIT PETITION NO.2917 OF 2016**

Shri Vijay Ravji Gajra ... Applicant
VS.
Dy.Commissioner of Income Tax-28(3) ... Respondent

AND**WRIT PETITION NO. 2917 OF 2016**

Shri Vijay Ravji Gajra ... Petitioner
VS.
Dy.Commissioner of Income Tax-28(3) ... Respondent

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Mr.V.R.Kasle i/b. Ms.Meena Sharma for the Applicant/Petitioner.
Mr.N.C,Mohanty for the Respondent .

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

DATE : 18th AUGUST, 2016

P.C.:

1. The Civil Application has been taken out for recall of the order dated 27th April, 2016 by which this petition was dismissed for non prosecution. The learned Counsel for the respondent has no objection in allowing the application.

2. Accordingly, the Civil Application is allowed in terms of prayer clause (a).

3. At this stage, the Writ Petition itself is taken up for final disposal at the request of the Counsel.

4. Learned Counsel appearing for the petitioner on instruction states that he seeks to withdraw this petition.

5. Accordingly petition is dismissed as withdrawn. No order as to costs.

(A.K. MENON,J.)

(M. S. SANKLECHA,J.)