

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

WRIT PETITION NO.12923 OF 2016

Shankar Kashinath Kadam .. Petitioner.
Vs.
The Income Tax Officer,
Ward 2(3), Sangli & Ors. .. Respondents.

Mr. Mihir Naniwadekar with Mr.Rohan Deshpande for the petitioner.

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

DATED : 24TH NOVEMBER, 2016

P.C. :

1. This petition under Article 226 of the Constitution of India challenges the notice dated 4th January, 2016 issued under Section 148 of the Income Tax Act, 1961 (the 'Act'). The impugned notice seeks to reopen the assessment for Assessment Year 2011-12.
2. Mr.Naniwadekar, learned counsel appearing for the petitioner, on instructions, seeks to withdraw this petition with a liberty to urge the issue of jurisdiction before the Assessing Officer.
3. Petition is dismissed as withdrawn. Liberty as prayed is granted.

(A.K. MENON,J.)

(M. S. SANKLECHA,J.)