

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

WRIT PETITION NO. 12860 OF 2016

M/s. GKN Sinter Metals Pvt. Ltd.

.. Petitioner

v/s.

Assistant Commissioner of Income Tax,
Circle -9, Pune

.. Respondent

Mr. Kamal Sawhney a/w Mr. Shikhar Garg i/b Harsh R. Shah for the
petitioner

Mr. Suresh Kumar for the respondent

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

DATED : 23rd NOVEMBER, 2016.

PC.

1. This petition under Article 226 of the Constitution of India challenges the order dated 30th June, 2016 passed by the Deputy Commissioner of Income Tax. By the impugned order, penalty under Section 271(1)(c) of the Income Tax Act, 1961 has been imposed upon the petitioner.

2. Mr. Sawhney, learned Counsel appearing for the petitioner states that the petitioner has preferred an appeal against the order dated 30th June, 2016 before the Commissioner of Income Tax (Appeals).

3. In the above view, the petitioner seek to withdraw this petition and pursue the appeal filed from the order dated 30th June, 2016 with the Commissioner of Income Tax (Appeals).

4. In the above view, the petition is dismissed as withdrawn.

(A.K. MENON, J.)

(M.S. SANKLECHA, J.)