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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION (L) NO.732 OF 2016**

Smt. Vandana Rakesh Mahnot

..Petitioner

Versus

Sumeet Gakhar

..Respondent

.....

Mr. Niraj Seth a/w. Rajesh Poojari i/b. Mint & Confreres for the Petitioner.

Mr. Ashok Kotangale i/b. Padma Divakar for the Respondent.

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**CORAM: M. S. SANKLECHA &
A. K. MENON, JJ.****DATE : 23RD MARCH, 2016**

PC.:

1. Mr. Seth, the learned counsel appearing for the Petitioner seeks leave to withdraw this Petition. However, he seeks liberty to file his written submissions and make out his case on merits before the Assessing Officer. Mr. Kotangale, learned counsel appearing for the Revenue very fairly states that the Assessing Officer would consider the written submissions and if necessary also call the Petitioner for a personal hearing before passing an Assessment Order consequent to the reopening notice dated 31st March, 2015.

2. In the above view, in case the Petitioner files his written submissions on or before 30th March, 2016 the Assessing Officer would deal with the same and call the Petition for a personal hearing if necessary, before passing an Assessment Order.
3. The Petition is allowed to be withdrawn with the above directions.
4. It is needless to say that all contentions including the issue of jurisdiction are left open to be contested before the authorities under the Act.
5. The Petition is dismissed as withdrawn.

(A. K. MENON, J.)

(M. S. SANKLECHA, J.)