IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 947 OF 2016

Piramal Realty Pvt. Ltd. .. Petitioner

v/s.

Deputy Commissioner of Income-Tax-7(3)(2),
Mumbai & Ors. .. Respondents

Mr. J.D. Mistri, Senior Counsel a/w Niraj Seth, Atul Jasani for the petitioner
Mr. N.C. Mohanty for the respondent

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

DATED : 6th APRIL, 2016.

P.C.

1. This petition under Article 226 of the Constitution of India essentially challenges Communications dated 11th March, 2016 and 18th March, 2016 by the Assessing Officer to the petitioner. By the above communication, the petitioner was called upon to pay 15% of the demand assessed by the Assessing Officer by his order dated 30th March, 2015 in respect of the Assessment Year 2012-13. This demand was made even though the petitioner's application dated 24th February, 2016 for stay of demand under Section 220(6) of the Income Tax Act, 1961 to the Commissioner of Income Tax was awaiting disposal.

2. Mr. Mohanty, learned Counsel for the Revenue, on instructions, states that the Assessing Officer will not act upon his Communications dated 11th March, 2016 and 18th March, 2016 till the disposal of the petitioner's application dated 24th February, 2016 by the Commissioner of Income Tax and for a period of one week thereafter from the date of of the communication of the order to the petitioner.

3. In view of the above statement, Mr. Mistri, learned Senior Counsel for the petitioner seeks leave to withdraw this petition. Leave as prayed for is granted.

4. The Writ Petition is dismissed as withdrawn.

(A.K. MENON, J.) **(M.S. SANKLECHA, J.)**