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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ITA 345/2016

TOPCHEM (INDIA) PRIVATE LIMITED ..... Appellant
Through: Mr. Snehasish Mukherjee, Advocate.

versus

THE PRINCIPAL COMMISSIONER OF INCOME TAX-IX.. Respondent
Through: Mr. P. Roychoudhuri, Sr. Standing Counsel.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

O R D E R

% **18.10.2016**

It is submitted by counsel for the appellant that an application under Section 254 for rectification of the impugned judgment has been heard and is pending orders before the Income Tax Appellate Authority. In the circumstances, the Court is of the opinion that the appropriate remedy for the appellant would be to approach this Court in the light of the final order made under Section 254. In case, the appellant wishes to urge any ground that has been taken in the present appeal, it is open for it to do so in such appropriate proceedings and in case such grievance subsists in the light of the rectification order.

In view of the above liberty, the appellant’s counsel seeks permission to withdraw the appeal. The appeal is dismissed as withdrawn with liberty as above.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

OCTOBER 18, 2016
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