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

+ W.P.(C) 5701/2016 and CM No. 23568/2016 (Stay)

AVALON BUSINESS ASSOCIATES ..... Petitioner  
Through Mr. N.P. Sahni, Advocate

versus

PR.COMMISSIONER OF INCOME TAX-14  
NEW DELHI & ANR ..... Respondent  
Through Mr. Ruchir Bhatia, Sr. Standing Counsel  
with Mr. Puneet Rai, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

% **22.06.2016**

**W.P.(C) 5701/2016 and CM No. 23568/2016 (Stay)**

Mr. Ruchir Bhatia, learned counsel appearing on behalf of the official respondents states that the relief prayed for in the present writ petition is within the domain and jurisdiction of the Income Tax Appellate Tribunal, in terms of the decision of this Court in *Writ Petition (C) No. 4684/2010* titled *The Commissioner of Income Tax (Central-II) vs. Income Tax Appellate Tribunal and Ors.*, decided on 19<sup>th</sup> October, 2012.

In view of the foregoing submission made by counsel appearing on behalf of the official respondents, Mr. N.P. Sahni, learned counsel appearing on behalf of petitioner seeks leave to withdraw the present writ petition with liberty to approach the Tribunal in the first instance in this behalf.

Leave and liberty granted.

The present writ petition is dismissed as withdrawn and disposed of accordingly. Pending application also stands disposed of.

*Dasti.*

**SIDDHARTH MRIDUL  
(VACATION JUDGE)**

**A.K. PATHAK  
(VACATION JUDGE)**

**JUNE 22, 2016  
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