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

WRIT PETITION NO. 2245 OF 2017

M/s. Sunil Hi-tech Engineers Limited
& Others .. Petitioners.
v/s.
Principal Commissioner of Income Tax-14
& Others .. Respondents.

Mr. Shraddhanand Bhutada with Mr. Parineet Saratkar i/b. SSP Legal, for the Petitioners.
Mr. Suresh Kumar, for the Respondents.

CORAM: M.S.SANKLECHA, &
A.K.MENON, JJ.
DATE : 22nd MARCH, 2017.

P.C:-

This Petition under Article 226 of the Constitution of India, challenges an order dated 11th April, 2016 passed by the Principal Commissioner of Income Tax-13, under Section 127 (2) of the Income Tax Act, 1961 (the Act). By the impugned order, the Petitioner's case (pending assessment proceedings) were transferred from Deputy Commissioner of Income Tax, Bombay to Assistant Commissioner, Central Circle, Aurangabad.

2 Mr. Suresh Kumar, learned Counsel appearing for the Revenue, on instructions, states that the impugned order dated 11th April, 2016 as well as the show cause notice dated 13th January, 2016 is being withdrawn. However, the learned Counsel for the Revenue seeks liberty to

issue a fresh show cause notice and pass a fresh order under Section 127 of the Act, if so advised. Liberty as prayed for, granted.

3 In view of the above statement made by Mr. Suresh Kumar on behalf of the Revenue, Mr. Bhutada, learned Counsel for the Petitioners seek to withdraw the Petition.

4 **Petition disposed of** as **withdrawn**, in above terms. No order as to costs.

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