

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

WRIT PETITION No.3956 of 2017

ORDER: (per SK,J)

This writ petition was filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is most humbly prayed that the Court may be pleased to pass an order more particularly in the nature of writ of certiorari duly declaring the action of the respondents in conducting raid at the residential houses of the petitioners without there being any considerable reason and not considering the application of the second petitioner to release Gold Jeweler and Cash as illegal, arbitrary and contrary to the provisions of Sections 131 and 132 of the Income Tax Act, and Provisions of Constitution of India, and consequently quash the proceedings dated 25-02-2016, and release the Gold Jewellery and cash, in the interest of justice and to pass such other and further orders as the Court may deem fit and proper in the circumstances of the case.’

By order dated 23.03.2017, this Court directed the Assistant Commissioner of Income Tax, Central Circle-I, Bhubaneswar, to consider the petitioner's application and pass appropriate orders thereon in accordance with law.

It is now stated by Smt. M.Kiranmayee, learned counsel for the Revenue, that vide order dated 14.06.2017, the Assistant Commissioner of Income Tax, Central Circle-I, Bhubaneswar, considered the application of the petitioner and rejected the same.

That being so, the cause in this writ petition no longer survives for consideration on merits. In the event the petitioner is aggrieved by the order dated 14.06.2017 passed by the Assistant Commissioner of Income Tax, Central Circle-I, Bhubaneswar, it is for him to avail appropriate remedies in accordance with law.

Leaving it open to the petitioner to do so, the writ petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE GUDI SEVA SHYAM PRASAD

Date: 29.06.2017
GJ

