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

\+ W.P.(C) 10293/2017

INDUS TOWERS LIMITED ..... Petitioner

Through Mr. Tarun Gulati, Mr. Kishore Kunal, Mr. Manish Rastogi & Mr. Prashant Tahiliani, Advocates.

versus

UNION OF INDIA & ORS. ..... Respondents

Through Mr. Sanjay Kumar & Mr. Rahul Chaudhary, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE PRATHIBA M. SINGH

O R D E R

% **20.11.2017**

After some hearing, learned counsel for the writ petitioner states that they would be preferring revision petition under Section 264 of the Income Tax Act, 1961 impugning the order passed by the Assessing Officer refusing to issue refund. He, however, submits that the revision petition should be disposed of expeditiously as huge amounts of refund are not being paid, adversely affecting the financial condition of the petitioner company. He further submits that the impugned order does not take into account the considerations mentioned in the order dated 6th October, 2016 passed in the writ petition filed by the petitioner.

2. Learned counsel for the respondents states that this is not correct.

3. Without going into the merits of the respective contentions, we allow

the writ petition to be withdrawn with liberty to approach the Commissioner by way of revision petition under Section 264 of the Act. If any revision petition is filed, the same would be considered in accordance with law as expeditiously as possible.

SANJIV KHANNA, J.

PRATHIBA M. SINGH, J.

NOVEMBER 20, 2017
VKR