**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.14633 OF 2017

Mitul Jagdishchandra Shah .. Petitioner

Versus

The Assistant Commissioner of
Income Tax, Dhule Circle, Opp.
MSEB Office, Sakri road, Dhule .. Respondent

Mr R.R. Chandak, Advocate h/f Mr P.N. Kutti, Advocate for petitioner
Mr Alok Sharma, Sr.Standing Counsel for respondent

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVALE, JJ**

DATE : 17th April 2018

PER COURT

1. The learned Counsel for the petitioner and the learned Counsel for respondent are *ad idem* that all the points raised by the petitioner in the Writ Petition can be raised before the appellate authority in the appeal filed by the petitioner. The assessment is made pursuant to notice under Sections 147 and 148 of the Income Tax Act.

2. In view of that Mr Chandak, on instructions, seeks leave to withdraw the Writ Petition, as the appeal is already filed and all these points are to be agitated in the appeal.

3. Writ Petition is disposed of as withdrawn. No costs.

(A.M. DHAVALE, J.) **(S.V. GANGAPURWALA, J.)**

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