

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2984 OF 2017

Troika Estates Pvt.Ltd.

...Petitioner

Versus

**The Income Tax Appellate Tribunal &
Ors.**

...Respondents

Ms. Vasanti Patel, for the Petitioner.

Mr. P.C. Chhotaray, for the Respondents.

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, JJ.**

DATE : 1 February 2018

ORDER :

1. Heard Ms. Patel, learned Counsel appearing for the
Petitioner.

2. This Petition challenges the order dated 17 March
2017 passed by the Income Tax Appellate Tribunal rejecting the

Petitioner's Miscellaneous Application for rectification of the order dated 3 February 2016 passed by the Tribunal.

3. Ms. Patel very fairly points out that the Petitioner has filed an Appeal being the Income Tax Appeal No. 1652 of 2016 from the order dated 3 February 2016 of the Tribunal. In the Appeal so filed, questions have been raised regarding the mistakes in impugned order dated 3 February 2016. However, the Petition has been filed as the Respondents are threatening to implement the order dated 3 February 2016 of the Tribunal.

4. In the above view, she is allowed to withdraw this Petition with liberty to file Notice of Motion in the pending Income Tax Appeal No. 1652 of 2016 and seek appropriate reliefs therein.

5. In the above view, the Writ Petition is disposed of as withdrawn, with the above liberty.

[RIYAZ I. CHAGLA J.]

[M.S. SANKLECHA, J.]