

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

**INCOME TAX APPEAL NO.447 OF 2016**

The Pr. Commissioner of Income Tax-4,  
Mumbai – 400 020

.... Appellant

Vs.

Mahesh Kumar Damani

.... Respondent

Mr. N.A. Kazi with Mr. A.R. Malhotra for the Appellant.

**CORAM:** S.C. DHARMADHIKARI &  
B.P. COLABAWALLA, JJ.

**DATE** : SEPTEMBER 03, 2018

**P.C:**

1. In view of the written instructions dated 7-8-2018, copy of which is taken on record and marked “X” for identification, Mr. Kazi seeks leave to withdraw the appeal. Leave granted. The appeal is dismissed as withdrawn but with a clarification that the question of law is kept open for decision in an appropriate case.

2. Refund of Court fee as per rules.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)