

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 682 OF 2018

Swastik Reality Pvt. Ltd.Petitioner
V/s.
Union of India and anr.Respondents

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Mr. Sunil Patel i/by. Sunil & Co., Advocate for the petitioner.

Mr. Akhileshwar Sharma, Advocate for respondent no.2.

CORAM :- **M.S. SANKLECHA, &**
 SANDEEP K. SHINDE, JJ.
DATE :- **3RD MAY, 2018.**

P.C. :-

1. This petition challenges the re-opening notice dated 31st March, 2017 issued under Section 148 of the Income Tax Act, 1961 seeking to re-open the assessment for the Assessment Year 2010-11.

2. Mr. Sunil Patel appearing in support of the

petition states that pending the disposal of this petition the Assessing Officer has passed an assessment order on 28th December, 2017 under Section 143(3) read with 147 of the Act. The petitioner has already preferred an Appeal from the above order dated 28th December, 2017 to the Commissioner of Income Tax (Appeals) and seeks to withdraw this petition with liberty to urge the contentions raised herein before the Appellate Authority under the Act. Liberty as prayed for granted.

3. The petition is dismissed with the aforesaid liberty.

(SANDEEP K. SHINDE, J)

(M.S. SANKLECHA, J)