

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.22959 of 2018
Date of decision :10.9.2018

Jasbir Singh and another

..... Petitioners

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.K.L.Goyal, Senior Advocate with
Mr.Avneet Singh, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. The prayer made in the writ petition under Articles 226/227 of the Constitution of India is for issuing the direction to the respondents to grant a personal hearing in pursuance to the notice dated 15.2.2018, Annexure p.11 for consideration of prosecution under Section 276C(2) of the Income Tax Act, 1961 for which reply, Annexure P.12, has been filed on 28.2.2018. A further direction is sought directing the respondents not to proceed with the proposed prosecution of the petitioner under the aforesaid Section for non-payment of disputed tax till the appeal, Annexure P.10, filed by the petitioner No.2 is not decided by the Commissioner of Income Tax (Appeals), Bathinda.

2. After arguing for some time, learned counsel for the petitioners states that he may be allowed to withdraw the

present petition with liberty to the petitioners to pursue their remedies before the departmental authorities, in accordance with law.

3. Dismissed as withdrawn.

4. It shall, however, be open to the petitioners to take recourse to the remedies as may be available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

September 10, 2018
KD

(AVNEESH JHINGAN)
JUDGE

Whether speaking / reasoned:
Whether Reportable:

Yes / No
Yes / No