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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 562/2017 & CM No.2606/2017

ANIL SANGHI

..... Petitioner

Through: Ms. Vasudha Bajaj, Advocate

versus

INCOME TAX OFFICER

..... Respondent

Through: Mr. Ruchir Bhatia, Advocate

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **13.03.2018**

Learned counsel for the respondent states that conviction of the petitioner has been set aside by the High Court.

In view of the acquittal order, the learned counsel for the petitioner seeks permission to withdraw the present writ petition, with liberty to revive the same, if required and necessary.

Writ petition is dismissed as withdrawn, with liberty as prayed. CM No.2606/2017 is also dismissed as withdrawn. Learned counsel for the petitioner also states that the petitioner will file a petition for refund of the payment deposited by them.

Without commenting, we would only observe that if any such petition is filed, the same would not be dismissed on the principle of constructive *res judicata*.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

MARCH 13, 2018/tp