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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1386/2018 & CM Nos.5771-72/2018
M/S BHAGWATI PRODUCTS LIMITED Petitioner
Through: Mr. Kapil Goel & Mr. Ankit Gupta,
Advocates
versus
INCOME TAX OFFICER, Respondent
Through: Mr. Zoheb Hossain, Senior Standing
Counsel

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **13.02.2018**

After some hearing, learned counsel for the petitioner seeks permission to withdraw the present petition and invoke the alternative remedy by filing an appeal before the Commissioner of Income Tax (Appeals).

We take the above statement on record and the writ petition is dismissed as withdrawn, with liberty as prayed. In case the appeal is filed within fifteen days, the same would not be dismissed on the ground of limitation. We also clarify that in case the petitioner wants stay of the recovery, they will have to follow the procedure prescribed under the Income Tax Act, 1961. The pending applications are also dismissed as withdrawn. We have not made any observations on merits.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

FEBRUARY 13, 2018/tp