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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 3525/2018

SATYA DEVELOPERS PVT.LTD ..... Petitioner

Through: Ms. Kadambari Puri & Ms. Sarika Soan, Advocates

versus

JOINT COMMISSIONER OF INCOME TAX & ANR. ..... Respondents

Through: Mr. Zohaib Hossain, Senior Standing Counsel

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% **11.04.2018**

The impugned order dated 29.1.2018 under Section 271 C of the Income Tax Act, 1961 is appealable.

In view of the alternative statutory remedy of appeal, we are not inclined to entertain the present writ petition.

At this stage, learned counsel for the petitioner submits that the petitioner would file an appeal before the Commissioner of Income Tax (Appeals). They would be also moving an application for stay/not to be treated as 'assessee in default'.

Taking the statement on record, we dispose of the present writ petition, giving liberty to the petitioner to file an appeal, impugning the order dated 29.1.2018. The petitioner may file an application for stay/not being treated as 'assessee in default'. Application, if filed, would be considered in accordance with law. The petitioner, if aggrieved by any order, would be entitled to challenge the same in accordance with law.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

APRIL 11, 2018
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