**NAFR**

# HIGH COURT OF CHHATTISGARH, BILASPUR

**TAXC No. 80 of 2018**

- Deputy Commissioner of Income Tax, Central Circle, Raipur, District Raipur (C.G.)

**---- Appellant**

**Versus**

- M/s R.R. Energy Ltd., N.H. No. 22, Village Garhumariya, Jharsuguda Road, Raigarh (C.G.)

**---- Respondent**

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For Appellant : Ms. Naushina Afrin Ali, Advocate on behalf of Shri Amit Chaudhari, Senior Standing Counsel.

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**Hon'ble Shri P. R. Ramachandra Menon, Chief Justice**
**Hon'ble Shri Justice Parth Prateem Sahu, Judge**

**Judgment on Board**

**Per P. R. Ramachandra Menon, Chief Justice**

**04.07.2019**

1. The learned standing counsel for the Appellant/Revenue submits that while moulding the pleadings and prayers and also in framing the substantial question of law, some inadvertent omission or mistake has crept in. In the said circumstance, permission is sought for to withdraw this matter without prejudice to the rights and liberty to the Appellant/Department to file fresh proceedings, instead of causing the matter to be amended and by filing such other supplementary proceedings. Reference is also made to the similar course pursued by this Court in such other matters in the said circumstance.

2. Permission is granted. Appeal is dismissed as withdrawn, with the liberty as above.

3. In view of the fact that this appeal had been preferred before this Court within the statutory time, we permit the Appellant to file appropriate proceedings as above, within a further period of one month.

4. The Registry is directed to return the certified copy of the order under challenge alongwith the service certificate.

Sd/-

**(P. R. Ramachandra Menon)**
**Chief Justice**

Sd/-

**(Parth Prateem Sahu)**
**Judge**

Brijmohan