

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

INCOME TAX APPEAL NO.9 OF 2017

**PR. COMMISSIONER OF INCOME TAX-1, AURANGABAD
VERSUS**

M/S. SHAH HIMMATLAL MANILAL AND CO.

Mr. Alok M. Sharma, Advocate for the appellant
Mr. Mobir Shaikh, Advocate for sole respondent.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 14.02.2019

P.C. :-

1. Mr. Alok Sharma, learned counsel appearing for the Pr. Commissioner of Income Tax-1, Aayakar Bhavan, invited our attention to the communication received by him dated 28.09.2018. By this communication the learned counsel is instructed to seek withdrawal of the appeal. It is stated in the communication that the concerned Assessing Officers and Range Heads have certified that this appeal proposed for withdrawal is not covered under any of the exceptions stated in Para No.10 of the Instruction No.03/2018 dated 11.07.2018 and as amended by the letter dated 20.08.2018.

2. In view of the submissions of the counsel on the backdrop of the communication, the appeal is allowed to withdraw. The appeal is disposed of as withdrawn.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]