

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.3293 OF 2018

Ramchand Murlidhar Raimalani ... Petitioner

V/s.

Income Tax Officer, Ward 18(3)(1) ... Respondent

Mr.Ketan Shah i/by Mr.Niraj Punmiya for the Petitioner.
Mr.A.R.Malhotra with Mr. N.A.Kazi for the Respondent.

**CORAM : AKIL KURESHI AND
B.P.COLABAWALLA, JJ.
DATE : JANUARY 31, 2019.**

P.C.:-

1. Petitioner-assessee has challenged a notice of reopening of assessment dated 29th March, 2018 for reopening the assessment for the assessment year 2012-13. Learned counsel Shri Malhotra for the respondent stated on instructions that due to certain factual errors which are inadvertently crept in the reasons recorded. It would be open for the Assessing Officer to withdraw the notice for the stated purpose in accordance with law and then for issuing the fresh notice if permissible under the law.

2. In view of these developments, the present petition would not survive and disposed of as infructuous.

(B.P.COLABAWALLA,J.)

(AKIL KURESHI,J.)

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