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

+ ITA 779/2019

THE COMMISSIONER OF INCOME TAX -EXEMPTION

..... Appellant

Through: Mr. Ruchir Bhatia and Mr. Shlok
Chandra, Advocates.

versus

IILM FOUNDATION

..... Respondent

Through: Mr. Rohit Jain and Mr. Aniket D.
Agrawal, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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18.11.2019

CM APPL. 37431/2019

Exemption allowed, subject to all just exceptions. The application stands disposed of.

ITA 779/2019

Mr. Ruchir Bhatia, learned counsel for the appellant, on instructions, in light of the decision of this Court in *Lachman Dass Bhatia v. Assistant Commissioner of Income Tax*, 2015 5 ITR-OL 360 (Delhi) [FB], seeks leave to withdraw the present appeal with liberty to prefer a writ petition to challenge the impugned order dated 28.02.2019 passed by the ITAT.

Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

NOVEMBER 18, 2019

kd