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

+ **ITA 976/2019 & CM APPL. 52143/2019**

THE COMMISSIONER OF INCOME TAX -EXEMPTION

..... Appellant

Through: Mr. Ruchir Bhatia, Senior Standing
Counsel with Ms. Madhura M.N.,
Advocate.

versus

IILM FOUNDATION

..... Respondent

Through: Mr. Aniket D. Agrawal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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04.12.2019

1. Mr. Ruchir Bhatia learned counsel for the Appellant on instructions and 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 a liberty to prefer a writ petition to challenge the impugned order passed by the ITAT dated 28.02.2019.

2. Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

REKHA PALLI, J

DECEMBER 04, 2019

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