

Pradnya Bhogale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3220 OF 2019**

Dr. Arvind Balkrishna Goregaonkar ..Petitioner

vs.

The Commissioner of Income Tax (Appeals)
and Ors.

..Respondents

.....

Mr. Viral Shukla a/w Ms. Priti Shukla, Mr. Darshan Ashar and
Ms. Mansi Thakkar I/b. M/s. Shukla and Associates for Petitioner.

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**CORAM : NITIN JAMDAR &
M.S.KARNIK, JJ.**

DATE : 15 JANUARY 2020

P.C.:-

On 3 December 2019, the following order was
passed :-

*“Ms. Thakkar, learned Counsel appearing for the
Petitioner seeks an adjournment. At her request the
Petition is being adjourned to 8 January 2020.*

*2. However, we may point out that this Petition is
filed challenging an order date 3 January 2018 passed
by the Income Tax Appellate Tribunal (the Tribunal)
under Section 254(1) of the Income Tax Act, 1961
(the Act). The remedy of the Petitioner, if aggrieved
by the order dated 3 January 2018 passed by the
Tribunal, would be by way of an Appeal as provided
under Section 260A of the Act.*

3. On the aforesaid being pointed out to the learned Counsel appearing for the Petitioner, she mentions that she would examine the same and make her submissions on the next date.

4. In the above view, we adjourn the Petition to 15 January 2020.”

2. The learned counsel for the Petitioner accepts the position that the Appeal will have to be filed.

3. Writ Petition is accordingly disposed of as withdrawn.

4. Liberty to file an Appeal.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)