

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.17358 of 2020
and
WMP. No.21498 & 21502 of 2020

Jain Housing,
Represented by its Partner,
Mr.Sachin Mehta,
98 and 99, Habibullah Road,
T.Nagar, Chennai-600 017.

...Petitioner

Vs

1. The Principal Commissioner of Income Tax-I,
No.121, Mahatma Gandhi Road,
VII Floor, Room No.701, Wanaparthi block,
Nungambakkam, Chennai-600 034.
2. The commissioner of Income Tax-(Appeals)-2,
No.121, Mahatma Gandhi Road,
Nungambakkam, Chennai-600 034.
3. The Assistant commissioner of Income Tax,
Non Corporate circle 1(1),
No. 121, Mahatma Gandhi Road, Wanaparthi Block,
Nungambakkam, Chennai-600 034.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari Mandamus calling for the records on the file of the 1st respondent in PAN.AAEFJ2408B and quash the impugned order in ITBA / com / F / 17 / 2019-20 / 1026706759(1) dated 17.3.2020 passed by the 1st Respondent rejecting the stay petition filed by the petitioner for stay of demand for the Assessment year 2017-18 as illegal arbitrary and devoid of merit and consequentially direct the 1st Respondent to grant stay of recovery of demand till the disposal of the appeal before the 2nd Respondent.

For Petitioner : Mr.Raghav Rajeev Menon

O R D E R

In the light of memo filed under cover of email dated 09.12.2020 seeking withdrawal of the Writ Petition, this writ petition is dismissed as withdrawn. The petitioner is granted liberty to file a stay application before the Commissioner of Income Tax (Appeals) within a period of four (4) weeks from today. The stay application, if filed within the time stipulated aforesaid, shall be disposed after hearing the petitioner within a period of four (4) weeks from date of institution of the same. Connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal commissioner of Income Tax-I
No.121 Mahatma Gandhi Road
VII Floor Room No.701 Wanaparthi block
Nungambakkam, Chennai-600 034
2. The commissioner of Income Tax-(Appeals)-2
No.121 Mahatma Gandhi Road
Nungambakkam, Chennai-600 034
3. The Assistant commissioner of Income Tax
Non corporate circle 1(1)
No. 121 Mahatma Gandhi Road, Wanaparthi Block
Nungambakkam, Chennai-600 034

+1cc to M/s.Hema Muralikrishnan, Advocate, SR40042

W.P. No.17358 of 2020

and

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CO (MJB)
BDL/07/01/2021