

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4349 OF 2007

Bajaj Allianz General Insurance

.. Petitioner

**Versus**

Santosh Datta & Ors.

.. Respondents

- .....
- Mr. Atul Jasani for the Petitioner.
  - Mr. Sham Walve for the Respondents.
- .....

CORAM : UJJAL BHUYAN &  
MILIND N. JADHAV, JJ.

DATE : FEBRUARY 25, 2021.

P.C.:

Heard Mr. Atul Jasani, learned counsel for the petitioner and Mr. Walve, learned standing counsel revenue for the respondents.

**2.** This writ petition filed under Article 226 of the Constitution of India has been preferred challenging the legality and validity of the order dated 24.11.2006 passed by the Chief Commissioner of Income Tax, Pune rejecting the prayer of the petitioner for waiver of interest under sections 234B and 234C of the Income Tax Act, 1961 for the assessment year 2002-03.

**3.** It be may be mentioned that the writ petition was admitted and is now pending for final hearing.

**4.** In the meanwhile, central government introduced the Direct Tax *Vivad Se Vishwas Act*, 2020 (briefly 'the Act' hereinafter) providing for a scheme for resolution of tax disputes. Petitioner has filed a declaration under section 3 of the said Act, before the Designated

Authority which has thereafter issued a certificate under section 5(1) of the said Act determining the amount refundable to the petitioner.

**5.** In the light of the above, petitioner seeks withdrawal of the writ petition.

**6.** Learned counsel for the respondents has no objection to the prayer made for withdrawal of the writ petition.

**7.** In that view of the matter, we allow the petitioner to withdraw the writ petition. Accordingly, the writ petition is disposed of as withdrawn.

**8.** Refund as per Rules.

[ MILIND N. JADHAV, J. ]

[ UJJAL BHUYAN, J. ]

Ravindra  
M.  
Amberkar

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