

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P. (C) No.25383 of 2017**

***M/s. Tuff Tubes (Orissa) Pvt. Ltd.,*** ..... ***Petitioner***  
***Badheiput***

Mr. Sidhartha Ray, Advocate

*-versus-*

***The Deputy Commissioner of Income*** ..... ***Opposite Parties***  
***Tax, Bhubaneswar and another***

Mr. T.K. Satapathy, Senior Standing Counsel

**CORAM:**  
**THE CHIEF JUSTICE**  
**JUSTICE R. K. PATTANAİK**

**Order No.**

**ORDER**  
**15.02.2022**

05. 1. Learned counsel for the Petitioner seeks leave to withdraw the present petition with liberty to file an appeal in accordance with law.
2. If such an appeal is filed not later than 15<sup>th</sup> March, 2022 accompanied by an application for condonation of delay, explaining the delay on account of pendency of the present writ petition, it will be considered on merits by the Appellate Authority. The interim order passed by this Court on 8<sup>th</sup> February, 2018 will continue, subject to the appeal being filed within the time aforementioned, till such time the Appellate Authority passes an interim order on an application to be filed by the Petitioner. The Court clarifies that it has not expressed any view in the matter.

3. The writ petition is disposed of as withdrawn in the above terms with the liberty as prayed for.

4. The certified copies of Annexures-1 and 2 will be returned to the Petitioner subject to it being substituted by attested photocopies thereof.

***(Dr. S. Muralidhar)***  
***Chief Justice***

***(R. K. Pattanaik)***  
***Judge***

M. Panda

