

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5393 of 2004

***M/s. Orissa State Ware-housing
Corporation***

....

Petitioner

Mr. B. Panda, Advocate

-versus-

***Assistant Commissioner of Income
Tax, Circle-1(1), Bhubaneswar and
others***

....

Opposite Parties

Mr. T.K. Satapathy, Senior Standing Counsel

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

ORDER

08.03.2022

Order No.

- 5.
1. Learned counsel appearing for the Petitioner seeks leave to withdraw the present petition with liberty to file an appeal before ITAT in accordance with law.
 2. If such appeal is filed not later than 2nd May 2022 accompanied by an application for condonation of delay explaining the delay on account of the pendency of the present petition in this Court, the same will be considered in its merits by the ITAT. The Court clarifies that it has not expressed any view in the matter.
 3. The writ petition is dismissed as withdrawn with liberty as prayed for in the above terms.
 4. An urgent certified copy of this order be issued as per rules.

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

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