

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2894 OF 2024

Zaheer Ayub Sathi ..Petitioner
Vs.

Income Tax Officer, Ward 17(3)(1), Mumbai & Ors. ...Respondents

Mr. Ryan Saldanha for the Petitioner.
Mr. Ravi Rattesar for Respondents.

CORAM: G. S. KULKARNI &
SOMASEKHAR SUNDARESAN, JJ.
DATED: 29 August, 2024

P.C.

1. We have heard learned counsel for the parties.
2. Mr. Saldanha, learned counsel for the petitioner would fairly accept that there is an alternate remedy which is available to the petitioner to file a statutory appeal, assailing the assessment order dated 22 March 2024. We accordingly permit the petitioner to withdraw this petition with liberty to the petitioner to pursue the appellate remedy.
3. All contentions of the petitioner on such proceedings are expressly kept open.
4. We may observe that as the petitioner was bonafide pursuing the proceedings, if the appeal is filed within three weeks from today, the same be adjudicated by the CIT (Appeals) on merits, without an objection as to the limitation.
5. Disposed of in the above terms. No costs.

(SOMASEKHAR SUNDARESAN, J.)

(G. S. KULKARNI, J.)