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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ ITA 490/2024 & CM APPLs. 53313/2024 (30 days delay),

53314/2024 (210 days delay in refilling)

PRINCIPAL COMMISSIONER

OF INCOME TAX - 4 DELHI

.....Appellant

Through: Mr. Abhishek Maratha, SSC.

versus

M/S. MDS CATERING PVT LTD.

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **12.09.2024**

Mr. Maratha, learned counsel for the appellant prays for the liberty to withdraw the instant appeal subject to rights being reserved to approach the appropriate High Court bearing in mind the decision in **Principal Commissioner of Income Tax-I, Chandigarh vs. ABC Papers Limited** [(2022) 9 SCC 1].

Ordered accordingly.

We accord the appellant six weeks time to take appropriate steps.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

SEPTEMBER 12, 2024/vp