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

\+ W.P.(C) 3999/2018

KRISHNA YADAV .....Petitioner

Through: Mr. Rohit Madan, Adv.

versus

INCOME TAX OFFICER,WARD 65(2), DELHI .....Respondent

Through: Mr. Aseem Chawla, SSC with Ms. Nancy Jain, JSC, Ms. Pratishtha Chaudhary & Mr. Naveen Rohila, Advs.

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MR. JUSTICE RAVINDER DUDEJA

O R D E R

% **12.07.2024**

1. This writ petition has been preferred seeking the following reliefs:-

> "(A) Issue a writ m the nature of Certiorari thereby quashing/setting aside the letter I notice of demand dated 26.02.2018 and all actions pursuant thereto including notices under section 226 (3) of the Income Tax Act, 1961 for recovery of arrears and demand of Rs. 55,06,510/(outstanding demand) for the assessment year2015-16.
>
> (B) Issue a writ a mandamus to the respondent to not to take coercive steps against the Petitioner for the recovery of the arrears and demand for the assessment year2015-16.
>
> (C) Such other writ/order/direction as may be deemed just and proper in the facts and circumstances of the case."

2. We note that on the first date when the matter was taken up on 23 April 2018, the following order came to be passed: -

"**WP(C) No.3999/2018 & CM No.15785/2018**

Issue notice, returnable on 6.8.2018. Notice is accepted on behalf of the respondent.

Counter-affidavit would be filed within four weeks. Rejoinder thereto, if any, would be filed within four weeks, after the counter affidavit is served.

In the meanwhile, there will be stay of recovery through coercive steps till the next date of hearing, subject to the petitioner filing an undertaking in this Court that she will not dispose of immovable properties purchased by her without the permission of the Court/authorities. Further, in case of an adverse order in the writ petition, appropriate directions would be made.

Dasti under signature of the Court Master."

3. It is the aforesaid interim order which has continued till date. We are also informed that the Commissioner of Income Tax (Appeals) ["**CIT(A)"**] is yet to dispose of the appeal which was instituted.

4. In view of the aforesaid, while we confirm the order of 23 April 2018, we dispose of the writ petition leaving it open for the writ petitioner to pursue the pending appeal. The undertaking proffered before this Court shall continue to enure till such as time the appeal is finally disposed of.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

JULY 12, 2024/neha