

Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 62 OF 2025

Qamrunnisa Sharifhasan Choudhary ...Petitioner

Versus

Income Tax Officer Ward 20(3)(1), Mumbai ...Respondent

Mr Satish Modi, *with Shivali Mhatre, for the Petitioner.*

Ms Mamta Omle, *for the Respondents.*

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CORAM **M.S. Sonak &
Jitendra Jain, JJ.**
DATED: **03 March 2025**

PC:-

1. Heard learned Counsel for the parties.
2. Mr Modi the learned Counsel for the Petitioner, based on instructions, seeks leave to withdraw this Petition with liberty to Appeal against the assessment order dated 12 May 2023 and penalty order dated 7 March 2024. Mr Modi states that such Appeal along with an application seeking condonation of delay would be filed within four weeks from today. He states that since according to the Petitioner, the matter is covered by the Hon'ble Supreme Court's decision in the case of **Union of India & Ors Vs Rajiv Bansal**¹, an application for stay will also be made before the assessing officer.

¹ 2024 167 taxmann.com 70 (SC)

3. Accordingly, we allow the withdrawal of this Petition with liberty to file the above applications within four weeks from today. If application is filed for stay, the assessing officer should dispose of the same as expeditiously as possible in accordance with law.

4. By leaving all contentions of all parties open, we dispose of this Petition as withdrawn with liberty in the above terms. All concerned to act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)