IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5722 of 2024

Chanda Nath Wife of Late Birendra Nath through her authorized signatory Shri. Vishal nath (Male aged about 45 years) Son of Late Birendra Nath Resident of J-144, Near Anamika Gas Godown, P.C. Colony, Lohiya Nagar, Kankarbagh, Patna- 800020.

... ... Petitioner/s

Versus

1. Assessment Unit Income Tax Department having its office at Mayur Bhawan, Connaught Circus, New Delhi- 110001.
2. Income Tax Officer, Ward 4(1), Patna.

... ... Respondent/s

Appearance :

For the Petitioner/s	: Mr. D.V.Pathy, Sr. Advocate Mr. Sadashiv Tiwari, Advocate Mr. Hiresh Karan, Advocate Ms. Shivani Dewalla, Advocate
For the Respondent/s	: Ms.Archana Sinha @ Archana Shahi, Sr. Adv.,(SC of IT) Ms. Shilpi Kesari, (SC of IT) Mr. Alok Kumar, Advocate Ms. Swarna Raj, Advocate Ms. Komal, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

18 29-07-2026 After some argument, Mr. D.V. Pathy learned Senior Counsel for the petitioner seeks permission to withdraw this writ application in order to avail the statutory remedy of appeal.

2. Ms. Archana Sinha @ Archana Shahi, learned Senior Standing Counsel for the Department of Income Tax has no objection to the same.

3. Permission is granted.

4. This writ application is dismissed as withdrawn, but

with liberty to the petitioner to apply for appropriate remedy as may be advised to him in accordance with law. If an appeal is preferred within a period of two weeks from today, and question of limitation arises, the same shall be considered keeping in view that the petitioner was pursuing his remedy before this Court under some bonafide legal advice. All contentions are left open to the parties.

(Rajeev Ranjan Prasad, J)

(Alok Kumar Sinha, J)

Kiran /
Prakash Narayan

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