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

+ **W.P.(C) 6099/2026 CM APPL. 30000/2026 CM APPL. 30001/2026**

DASHMESH CONTRACTORS

.....Petitioner

Through: Ms. Kavita Jha, Sr. Adv. with Ms.
Aditi Sabharwal, Mr. Abhishek
Anand & Mr. Himanshu Aggarwal,
Adv.

versus

**ASSISTANT COMMISSIONER OF INCOME TAX CIRCLE 43 (1)
& ANR.**

.....Respondents

Through: Mr. Sunil Agarwal, SSC with Ms.
Monica Benjamin, JSC, Mr. Gibran
Naushad, JSC, Mr. Rohit Chakraborty
& Mr. Vivan Garg, Adv.

CORAM:

HON'BLE MR. JUSTICE DINESH MEHTA

HON'BLE MR. JUSTICE VINOD KUMAR

ORDER

22.05.2026

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1. Pursuant to the Court's observation that there are certain facts qua which it would not be proper for this Court to exercise its jurisdiction under Articles 226 and 227 of the Constitution of India, after arguing for some time, Ms. Kavita Jha, learned Senior Counsel for the petitioner seeks permission to withdraw the present writ petition with liberty to file an appeal,.
2. With liberty as prayed, writ petition is dismissed as withdrawn.
3. In case the petitioner files an appeal on or before 31.07.2026, the Appellate Authority shall consider the same on merits without raising any



objection regarding limitation, as the petitioner was bonafidely pursuing its right against the assessment order dated 23.03.2026 before this Court.

4. The writ petition stands disposed of alongwith all pending applications.

DINESH MEHTA, J

VINOD KUMAR, J

MAY 22, 2026/sr