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

\+ W.P.(C) 8049/2008

KAPIL YADAV & ORS. .....Petitioners

Through: Ms. Prerna Mehta & Mr. Ajay Verma, Advs.

versus

UOI & ORS. .....Respondents

Through: Mr. Ruchir Bhatia, SSC with Mr. Anant Mann, JSC, Mr. Pratyaksh Gupta, JSC & Ms. Lopamudra Mahapatra, Adv.

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE VINOD KUMAR

<u>O R D E R</u>

% **03.02.2026**

1. The present writ petition has been preferred for the following reliefs:

> *"a) issue a writ in the nature of certiorari for quashing order of attachment dated 18th December, 2007 in regard to property and premises bearing No.205, Udyog Vihar, Phase IV, Gurgaon (Haryana);*
>
> *b)Issue a writ in the nature of certiorari quashing the attachment order dated 4th March, 2004 passed by Income Tax Department in regard to property and premises bearing No.205, Udyog Vihar, Phase IV, Gurgaon (Haryana);*
>
> *c) Issue a writ in the nature of prohibition restraining respondents No.1-4 from putting the property and premises bearing No.205, Udyog Vihar, Phase IV, Gurgaon (Haryana), for public auction and creating any third party rights in the same;"*

2. Mr. Ruchir Bhatia, learned Senior Standing Counsel for the

respondent-Department at the outset handed over a printout of the e-mail which he received from the Assessing Officer DCIT circle 7(1), New Delhi, *inter alia*, indicating that there are no outstanding dues against the seller of the property.

3. In view of the aforesaid, it is apparent that the Assessing Officer would not and cannot proceed against the petitioner pursuant to the order of attachment issued on 18.12.2007 (Annexure P3). As he is a bonafide purchaser of the property.

4. In light of the e-mail sent by the above referred Assessing Officer, the instant writ proceedings are hereby closed.

5. Needless to observe that in case any recovery proceeding or subsequent action is taken against the petitioner, he shall be free to move an application for revival of the petition.

6. The petition is disposed of in aforesaid terms.

DINESH MEHTA, J.

VINOD KUMAR, J.

FEBRUARY 3, 2026/*sr*