IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SHEEL NAGU

&

HON'BLE SHRI JUSTICE VIRENDER SINGH

ON THE 27th OF JANUARY, 2023

WRIT PETITION No. 10699 of 2019

BETWEEN:-

RAMESH CHAND RAI S/O SHRI HARIDAS RAI, AGED ABOUT 54 YEARS, OCCUPATION: BUSINESS R/O A-501 5TH FLOOR SHAKHER PLANT VIJAY NAJGAR, INDORE (MADHYA PRADESH)

.....PETITIONER

(BY SHRI SANJAY MISHRA, ADVOCATE)

AND

1. **ASSISTANT COMMISSIONER OF INCOME TAX (CENTRAL) - 1 ARERA HILLS AAYAKAR BHAWAN, HOSHANGABAD ROAD, BHOPAL (MADHYA PRADESH)**

2. **JOINT COMMISSIONER OF INCOME TAX (OSD), CENTRAL-1 204, ARERA HILLS, AAYAKAR BHAWAN HOSHANGABAD ROAD BHOPAL (MADHYA PRADESH)**

3. **COMMISSIONER OF INCOME TAX (APPEALS) - III AAYAKAR BHAWAN HOSHANGABAD ROAD BHOPAL (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI S.M. LAL - ADVOCATE)

This petition coming on for admission this day, ***JUSTICE SHEEL NAGU*** *passed the following:*

ORDER

At the very outset, learned counsel for the petitioner prays for withdrawal

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of this petition with liberty to approach the Appellate Authority.

From the record it appears that an appeal, vide Annexure P-2, was filed before the Commissioner of Income Tax (Appeals) on 9.9.2018 by the petitioner against the same order of assessment which is assailed herein.

In view of above, this petition, as prayed for, is **dismissed** as withdrawn with liberty to either pursue the appeal if pending or to avail any other remedy available in accordance with law.

(SHEEL NAGU)
JUDGE

(VIRENDER SINGH)
JUDGE

vivek

THE HIGH COURT OF MADHYA PRADESH
सत्यमेव जयते

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