

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

FRIDAY, THE 24TH DAY OF NOVEMBER 2023 / 3RD AGRAHAYANA, 1945

WP(C) NO. 259 OF 2023

PETITIONER/S:

JOSEPH P O
AGED 61 YEARS, S/O.OUSEPH,
POROKKARAN HOUSE, KONOOOR, NALUKETTU, KORATTY,
THRISSUR, PIN - 680308

BY ADV ALAN PRIYADARSHI DEV

RESPONDENT/S:

- 1 THE INCOME TAX OFFICER
WARD 34(1)(7), ROOM NO 727, 7TH FLOOR, KUTILYA
BHAVAN, C-41 TO C-43, G BLOCK, BANDRA-KURLA
COMPLEX, BANDRA(EAST) MUMBAI, PIN - 400051.
- 2 THE ASSISTANT DIRECTOR OF INCOME TAX
(INVESTIGATION)
AAYAKAR BHAVAN, SAKTHANTHAMPURAN NAGAR, THRISSUR,
PIN - 680001
- 3 ADDITIONAL/JOINT/DEPUTY/ASSISTANT COMMISSIONER OF
INCOME TAX/INCOME TAX OFFICER
NATIONAL E-ASSESSMENT CENTRE, INCOME TAX
DEPARTMENT, MINISTRY OF FINANCE, ROOM NO 401, 2ND
FLOOR, E-RAMP, JAWAHARLAL NEHRU STADIUM, DELHI,
PIN - 110003

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 24.11.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

J U D G M E N T

Learned counsel for the petitioner submits that he would like to withdraw the present writ petition with liberty to seek appropriate remedy available to him under the statute. withdrawal memo dated 6.11.2023 filed by the learned counsel for the petitioner is taken on record.

In view of the above, the present writ petition is dismissed as withdrawn with the aforesaid liberty.

Pending interlocutory application, if any, in the writ petition stands dismissed.

Sd/-
DINESH KUMAR SINGH
JUDGE

jg

APPENDIX OF WP (C) 259/2023

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE COPY OF NOTICE DATED 25.11.2019 ISSUED BY THE FIRST RESPONDENT
- EXHIBIT-P2 TRUE COPY OF SHOW CAUSE NOTICE DATED 11.12.2019 ISSUED BY THE FIRST RESPONDENT
- EXHIBIT-P3 TRUE COPY OF RECOVERY NOTICE DATED 4.02.2020 ISSUED BY THE FIRST RESPONDENT
- EXHIBIT P4 TRUE COPY OF COMMUNICATION DATED 24.01.2020 ISSUED BY THE FIRST RESPONDENT
- EXHIBIT P5 TRUE COPY OF SHOW CAUSE NOTICE DATED 06.03.2021 ISSUED BY THE NFAC
- EXHIBIT P6 TRUE COPY OF PENALTY ORDER ISSUED BY THE NFAC DELHI UNDER SECTION 271F
- EXHIBIT P7 TRUE COPY OF THE PENALTY ORDER PASSED BY THE NFAC DELHI UNDER SECTION 271(1)(C) DATED 08.09.2021
- EXHIBIT P8 TRUE COPY OF THE REPRESENTATION DATED 20.09.2021 FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT
- EXHIBIT P-9 TRUE COPY OF REPRESENTATION BY THE PETITIONER BEFORE THE FIRST RESPONDENT DATED 22.09.2021
- EXHIBIT P10 TRUE COPY OF THE CONFIRMATION FOR THE RECEIPT OF THE REPRESENTATION DATED 22.09.2021 WITH NO EL414060420 IN DATED 27.09.2021
- EXHIBIT P11 TRUE COPY OF REPRESENTATION DATED 01.10.2021

FILED BEFORE THE FIRST RESPONDENT

EXHIBIT P12 TRUE COPY OF REPRESENTATION DATED 7.10.2021
TO THE FIRST RESPONDENT

Exhibit P13 TRUE COPY OF NOTICE DATED 24.6.13 ISSUED BY
ASSISTANT DIRECTOR OF INCOME TAX (INV),
TRICHUR

Exhibit P14 TRUE COPY OF THE NOTICE DATED 5.4.2018 ISSUED
BY DEPUTY DIRECTOR OF INCOME TAX (INV.),
TRICHUR

Exhibit P15 TRUE COPY OF THE REPLY DATED 12.4.2018 FILED
BY THE PETITIONER BEFORE THE DEPUTY DIRECTOR
OF INCOME TAX (INV), THRISSUR

Exhibit P16 TRUE COPY OF THE NOTICE DATED 24.4.2018
ISSUED BY DEPUTY DIRECTOR OF INCOME TAX
(INV.), TRICHUR ALONG WITH TYPED COPY

Exhibit P17 TRUE COPY OF THE REPLY FILED BY THE
PETITIONER BEFORE THE DEPUTY DIRECTOR OF
INCOME TAX (INV.), THRISSUR DATED 8.5.2018

Exhibit P18 TRUE COPY OF THE RETURN OF INCOME FILED BY
THE PETITIONER DATED 4.4.2019

Exhibit P19 TRUE COPY OF THE CHALAN NO. 06502 DATED
1.3.2019 FOR RS.1,53,450/-

Exhibit P20 TRUE COPY OF THE CHALAN NO.00668 DATED
4.4.2019 FOR RS.1,53,617/-

Exhibit P21 TRUE COPY OF THE CHALAN NO.08992 DATED
4.4.2019 FOR RS.10/-