

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'SMC-3', NEW DELHI**

Before Sh. N. K. Saini, Accountant Member

ITA No. 233/Del/2016 : Asstt. Year : 2009-10

Sanjeev Kumar Sharma, 15/103, Sector-15, Duplex Vasundhara, Ghaziabad-201010	Vs	Income Tax Officer, Ward-2(3), Ghaziabad
(APPELLANT)		(RESPONDENT)
PAN No. AOPPS8054R		

Assessee by : Sh. Rajiv Ahuja, CA

Revenue by : Sh. Neeraj Kumar, Sr. DR

Date of Hearing : 07.09.2016	Date of Pronouncement : 07.09.2016
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ORDER

This is an appeal by the assessee against the order dated 21.10.2015 of Id. CIT(A), Ghaziabad.

2. At the time of hearing Id. Counsel of the assessee filed an application stating therein as under:

"Dear Sir,

We, on behalf of and under instructions from our client Shri Sanjeev Kumar Sharma (herein after referred to as "Appellant") with reference to captioned appeal for the Assessment Year 2009-10, submits as under:-

That against the order passed u/s 143(3)/147 dated 27.02.2014, a revision order u/s 263 of the Income Tax Act, 1961 was passed directing the assessing officer to make a fresh assessment. Copy of the order is enclosed herewith for your kind perusal.

In the above circumstances, the appellant is not pressing this appeal with a right to represent the matter a fresh if required based upon the fresh assessment order. The Hon'ble bench is requested to kindly pass an appropriate order.

Should your Honour require any further details / clarifications, we shall be pleased to submit the same.”

*Yours faithfully,
Sd/-
(Rajeev Ahuja)
CA*

3. In his rival submissions the ld. DR did not object if the appeal is dismissed as withdrawn.

4. In view of the above, the request of the ld. Counsel for the assessee is accepted. Accordingly, the appeal filed by the assessee stands dismissed as withdrawn.

5. In the result, the appeal filed by the assessee is dismissed.

(Order Pronounced in the Court on 07/09/2016)

**Sd/-
(N. K. Saini)
ACCOUNTANT MEMBER**

Dated: 07/09/2016

Subodh

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT