

**IN THE INCOME TAX APPELLATE TRIBUNAL  
MUMBAI BENCH "K", MUMBAI**

**BEFORE SHRI G.S. PANNU, ACCOUNTANT MEMBER AND  
RAM LAL NEGI, JUDICIAL MEMBER**

**ITA NO. 819/MUM/2015 : (A.Y : 2010-11)**

Apax Partners India Advisers Pvt. Ltd. Vs. DCIT, Circle-6(1),  
2<sup>nd</sup> floor, Devchand House, Shivsagar Mumbai (Respondent)  
Estate, Dr. Annie Besant Road, Worli,  
Mumbai 400 018 (Appellant)  
**PAN : AAFC9595A**

**Assessee by : Shri Manish Kanth**

**Revenue by : Shri Samuel Darse**

**Date of Hearing : 31/10/2016**

**Date of Pronouncement : 31/10/2016**

**ORDER**

**PER G.S. PANNU, AM :**

The captioned appeal filed by the assessee is arising from the order dated 28.11.2014 passed by the Assessing Officer u/s 143(3) r.w.s 144C(1) of the Income Tax Act, 1961 giving effect to the directions of Dispute Resolution Panel (DRP) dated 07.10.2014.

2. At the time of hearing, the learned representative for the assessee made a request for permission to withdraw the appeal by referring to letter dated 24.05.2016, which reads as under :-

*“We refer to the hearing for captioned appeal scheduled to be heard on 13 June 2016.*

*In this context, we would like to inform that, the Appellant has entered into an Advance Pricing Agreement (‘APA’) with the Central Board of Direct Taxes (‘CBDT’) on 31 March 2014 and a subsequent Revision to the APA dated 16 March 2016. Pursuant to the same, AY 2010-11 to AY 2018-19 are covered within the APA entered into by the Appellant with the CBDT.*

*In this regard, Rule 10RA of the Income-tax Rules, 1962 requires the Appellant to withdraw the appeal pending before the Hon'ble Income Tax Appellant Tribunal, in so far as the issue(s) are covered under the APA.*

*In this regard, we humbly request for withdrawal of Appeal No.-ITA 819/Mum-2015 as it relates to issue(s) which are subject matter of the APA.”*

Ld. DR appearing for the Revenue has no objection to the aforesaid plea of assessee.

3. Accordingly, the appeal of assessee is dismissed as withdrawn.

The above decision was pronounced in the open court in the presence of both the parties at the conclusion of hearing on 31.10.2016.

Sd/-  
**(RAM LAL NEGI)**  
**JUDICIAL MEMBER**

Sd/-  
**(G.S. PANNU)**  
**ACCOUNTANT MEMBER**

Mumbai, Date : 31<sup>st</sup> October, 2016

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Copy to :

- 1) The Appellant
- 2) The Respondent
- 3) The CIT(A) concerned
- 4) The CIT concerned
- 5) The D.R, "K" Bench, Mumbai
- 6) Guard file

By Order

Dy./Asstt. Registrar  
I.T.A.T, Mumbai