

*IN THE INCOME TAX APPELLATE TRIBUNAL
KOLKATA BENCH "D" KOLKATA*

Before **Shri Waseem Ahmed, Accountant Member** and
Shri S.S.Viswanethra Ravi, Judicial Member

ITA No.770/Kol/2015
Assessment Year:2010-11

Rosewood Mercantile Pvt. Ltd. D.J. Shah & Co. 2, Elgin Road, Kolkata-700 020 [PAN No.AAECR 6249 M]	<u>बनाम</u> / V/s.	Pr. Commissioner of Income Tax-1, P-7, Chowringhee Square, Aaykar Bhawan, Kolkata-700 069
अपीलार्थी /Appellant	..	प्रत्यर्थी /Respondent

अपीलार्थी की ओर से/By Appellant	Shri Ashis Bajaj, CA
प्रत्यर्थी की ओर से/By Respondent	Shri Niraj Kumar, CIT-DR
सुनवाई की तारीख/Date of Hearing	17-01-2017
घोषणा की तारीख/Date of Pronouncement	17-01-2017

आदेश /O R D E R

PER Waseem Ahmed, Accountant Member:-

This appeal has been filed by the assessee relating to Assessment Year 2010-11 is directed against the order passed by Commissioner of Income Tax-1, Kolkata u/s 263 of the Income Tax Act, 1961 (hereinafter referred to as 'the Act') vide his order dated 25.03.2015.

Shri Ashis Bajaj, Ld. Authorized Representative appeared on behalf of assessee and Shri Niraj Kumar, Ld. Departmental Representative appeared on behalf of Revenue.

2. At the outset, Ld. counsel for the assessee filed an application dated 16.01.2017 wished to seek permission for withdrawal of the appeal regarding cited case law of

jurisdictional High Court in the case of *K.P.Jain vs. CIT* (2011) 202 Taxman 244 (Cal) and Ld. DR has not objected the withdrawal of the same. As there is no objection from the Revenue, we permit the withdrawal of assessee's appeal. Accordingly, this appeal of assessee is dismissed as withdrawn.

3. In the result, assessee's appeal stands dismissed as withdrawn.

Order pronounced in open court on 17/01/2017

Sd/-
(S.S.Viswanethra Ravi)
Judicial Member

Sd/-
(Waseem Ahmed)
Accountant Member

*Dkp Sr.P.S

दिनांक:- 17/01/2017 कोलकाता / Kolkata

आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-

1. अपीलार्थी/Appellant-Rosewood Mercantile Pvt. Ltd. D.J. Shah & Co., 2, Elgin Road, Kol-20
2. प्रत्यर्थी/Respondent-Pr.CIT, Kolkata-1,P-7Chowringhee Sq, Aaykar Bhawan,Kol-69
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त- अपील / CIT (A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण कोलकाता / DR, ITAT, Kolkata
6. गार्ड फाइल / Guard file.

/True Copy/

By order/आदेश से,

उप/सहायक पंजीकार
आयकर अपीलीय अधिकरण,
कोलकाता