

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
KOLKATA 'D' BENCH, KOLKATA**

**Before Shri P.M. Jagtap, Accountant Member  
and Shri N.V. Vasudevan, Judicial Member**

**I.T.A. No. 1211/KOL/ 2013  
Assessment Year: 2008-2009**

**Shri Madanlal Toshniwal,.....Appellant**  
**215/1, Bangur Park, Rishra,**  
**Dist. Hooghly-712 248**  
**[PAN : ABOPT 2086 L]**

**-Vs.-**

**Commissioner of Income Tax-XX,.....Respondent**  
**Kolkata,**  
**54/1, Rafi Ahmed Kidwai Road,**  
**Kolkata-700 016**

**Appearances by:**

*None, for the assessee*

*Shri S. Srivastava, CIT, D.R., for the Department*

Date of concluding the hearing : May 26, 2016

Date of pronouncing the order : May 26, 2016

**O R D E R**

**Per Shri P.M. Jagtap :-**

This appeal filed by the assessee is directed against the order of ld. Commissioner of Income Tax, Kolkata-XX, Kolkata dated 22.02.2013 for the assessment year 2008-09 passed under section 263 of the Income Tax Act, 1961.

2. None has appeared on behalf of the assessee at the time of hearing fixed today, i.e. on 26.05.2016. An application dated 25.05.2016 written by Shri Paras Kochar, Advocate of M/s. Madan Lal Toshniwal has been placed before the Bench seeking the permission of the Bench to withdraw this appeal. Since the ld. D.R. has no objection in this regard, the

permission as sought by the ld. counsel for the assessee is granted and this appeal is dismissed as withdrawn.

**3. In the result, the appeal of the assessee is dismissed.**

Order pronounced in the open Court on May 26, 2016.

**Sd/-**

**Sd/-**

**(N.V. Vasudevan)**  
**Judicial Member**

**(P.M. Jagtap)**  
**Accountant Member**

**Kolkata, the 26<sup>th</sup> day of May, 2016**

- Copies to :
- (1) **Shri Madanlal Toshniwal,**  
**215/1, Bangur Park, Rishra,**  
**Dist. Hooghly-712 248**
  - (2) **Commissioner of Income Tax-XX,**  
**Kolkata,**  
**54/1, Rafi Ahmed Kidwai Road,**  
**Kolkata-700 016**
  - (3) *Commissioner of Income Tax, Kolkata-XX, Kolkata*
  - (4) *The Departmental Representative*
  - (5) *Guard File*

*By order*

*Assistant Registrar,*  
*Income Tax Appellate Tribunal,*  
*Kolkata Benches, Kolkata*

**Laha/Sr. P.S.**