

IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH "I-2", NEW DELHI

BEFORE SHRI H.S. SIDHU, JUDICIAL MEMBER  
AND  
SHRI PRASHANT MAHARISHI, ACCOUNTANT MEMBER

ITA No. 6855/Del/2014		
A.Y :2005-06		
M/S XEROX INDIA LIMITED, 5 <sup>TH</sup> & 6 <sup>TH</sup> FLOOR, BLOCK ONE, VATIKA BUSINESS PARK, SECTOR-49, SHONA ROAD, GURGAON - 122017 (PAN: AAACM8634R)	VS.	ASSISTANT COMMISSIONER OF INCOME TAX, CENTRAL CIRCLE-20, NEW DELHI
<b>(APPELLANT)</b>		<b>(RESPONDENT)</b>

Assessee by : Ms. Bharti Sharma, CA  
Department by : Sh. Piyush Jain, CIT(DR)

**ORDER**

**PER H.S. SIDHU, JM**

The Assessee has filed this appeal against the order dated 30/9/2014 passed by the Ld. CIT(A)-XXIX, New Delhi relating to assessment year 2005-06.

2. During the hearing, Ms. Bharti Sharma, CA/ Authorized Representative of the assessee has sought permission to withdraw the ITA No. 6855/Del/2014 by filing the Application dated 11.12.2017. She has also filed the Vakalatnama in her favour. The contents of the aforesaid Application dated 11.12.2017 read as under:-

*"The hearing of the captioned appeal is fixed before your Honour for today 11.12.2017.*

*The appellant seeks to withdraw the same. The reason to withdraw the appeal is that the appellant had filed the captioned appeal against the order of Ld. CIT(A) dated 30.9.2014 wherein he had given some directions. The Ld. Transfer Pricing Officer while giving effect to the directions of Ld. CIT(A), recomputed the margin and deleted the entire demand arising out of Transfer Pricing addition vide his order dated 24.12.2014 (copy of appeal effect order dated 24.12.2014 is attached herewith for your kind reference and record).*

*Since the Department has not raised any ground on transfer pricing addition in its appeal 6610/14 pending before Hon'ble 'C' Bench and the issue is in assessee's favour, we humbly prayed your Honour that the captioned appeal may kindly be withdrawn in the interest of justice."*

3. Ld. DR has not raised any objection to the request of the Assessee's Authorised Representative.

4. We have heard both the parties and perused the records, especially the Application dated 11.12.2017 filed by Ms. Bharti Sharma, CA/Authorised Representative of the Assessee for withdrawal of appeal. Keeping in view of the facts and circumstances of the case, we accept the aforesaid request of the assessee's Authorized Representative for withdrawal of the Appeal and accordingly, we dismiss Appeal as withdrawn.

5. In the result, the appeal of the Assessee is dismissed.

Order pronounced in the Open Court on 11/12/2017.

**Sd/-**

**Sd/-**

**[PRASHANT MAHARISHI]  
ACCOUNTANT MEMBER**

**[H.S. SIDHU]  
JUDICIAL MEMBER**

*Date 11/12/2017*

**"SRBHATNAGAR"**

**Copy forwarded to: -**

1. Appellant -
2. Respondent -
3. CIT
4. CIT (A)
5. DR, ITAT

TRUE COPY

By Order,

Assistant Registrar, ITAT, Delhi Benches