

आयकर अपीलीय अधिकरण, मुंबई न्यायपीठ, जे, मुंबई ।

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCHES "J", MUMBAI**

श्री जोगिन्दर सिंह, न्यायिक सदस्य एवं
श्री एन. के. प्रधान, लेखा सदस्य, के समक्ष

**Before Shri Joginder Singh, Judicial Member, and
Shri N.K. Pradhan, Accountant Member**

**ITA NO. 5343/Mum/2016
Assessment Year: 2010-11**

Income Tax Officer (E) Ward-2(1), Room no.512 5 th Floor, Piramal Chambers Lalbaug, Lower Parel Mumbai 400 077	बनाम/ Vs.	M/s. Manghnani Charitable Trust 301, Notan Chambers Turner Road, Bandra (W) Mumbai 400 050
(राजस्व /Revenue)		(निर्धारिती /Assessee)
P.A. No. AAATM5238L		

राजस्व की ओर से / Revenue by	Shri Saurabh Rai
निर्धारिती की ओर से / Assessee by	Ms. Ruchi Tamhankar

सुनवाई की तारीख / Date of Hearing :	19/03/2018
आदेश की तारीख /Date of Order:	19/03/2018

आदेश / O R D E R

Per Joginder Singh (Judicial Member)

The Revenue is aggrieved by the impugned order dated 30.06.2016, of the Ld. Commissioner of Income Tax (Appeal) directing the Assessing Officer to expedite

the disposal of application of the assessee made u/s 154 of the Act and allowing the carry forward of deficit of Rs. 1,40,94,545 and allowing set-off against income of the subsequent year.

2. During the hearing, the learned D.R. filed an application dated 15.03.2018, with a request that the Department may be permitted to withdraw the appeal filed before the Tribunal. The learned D.R., Shri Saurabh Rai, contended that in view of the aforesaid application, the Department may be permitted to withdraw the appeal. The Id. Counsel for the assessee, Ms. Ruchi Tamhankar, have no objection to the request of the learned D.R.

3. We have considered the rival submissions and perused the material available on record. Without going into much deliberation and in view of application of the Department dated 15.03.2018, and contention of the learned D.R., the Department is permitted to withdraw the appeal, therefore, the appeal of the Revenue is dismissed as withdrawn.

Finally, the appeal of the Revenue is dismissed as withdrawn.

This Order was pronounced in the open court in the presence of learned representatives from both sides at the conclusion of the hearing on 19th March, 2018.

Sd/-

(N.K. Pradhan)

लेखा सदस्य / ACCOUNTANT MEMBER

Sd/-

(Joginder Singh)

न्यायिक सदस्य / JUDICIAL MEMBER

मुंबई Mumbai; दिनांक Dated : **19/03/2018**

Pradeep J. Chowdhury, Sr. PS

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Assessee
2. प्रत्यर्थी / The Revenue
3. आयकर आयुक्त,(अपील) / The CIT, Mumbai.
4. आयकर आयुक्त / CIT(A)- , Mumbai
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई / DR,
ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

उप/सहायक पंजीकार (Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / **ITAT, Mumbai**