

**IN THE INCOME TAX APPELLATE TRIBUNAL
“D” Bench, Mumbai**

**Before Shri Ravish Sood, Judicial Member
and Shri N.K. Pradhan, Accountant Member**

**ITA No.5409/Mum/2017
(Assessment Year: 2009-10)**

M/s Marathan IT Infrastructure
Pvt. Ltd., 702, Marathan Max,
Junction of Mulund Goregaon
Link Road, Mulund (W)
Mumbai – 400080

Income Tax Officer-15(2)
Aayakar Bhavan,
M.K. Road, Churchgate,
Mumbai - 400020

Vs.

PAN – AAFCM3514P

(Appellant)

(Respondent)

Appellant by: Shri Kiran P. Kapadia, A.R

Respondent by: Shri Rajesh Ojha, D.R

Date of Hearing: 23.07.2019

Date of Pronouncement: 23.07.2019

ORDER

PER RAVISH SOOD, JM

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-24, Mumbai, dated 05.06.2017, which in turn arises from the order passed by the A.O under Sec.143(3) r.w.s. 263 of the Income Tax Act, 1961 (for short ‘Act’), dated 31.03.2015 for A.Y.2009-10. The Id. Authorized Representative (for short ‘A.R’) for the assessee at the very outset of the hearing of the appeal submitted, that as instructed, the assessee seeks to withdraw the present appeal. A letter dated 23.07.2019 requesting that the appeal may be permitted to be withdrawn had also been placed on record. The Id. Departmental Representative (for short ‘D.R’) did not

object to the seeking of withdrawal of the aforesaid appeal by the assessee.

2. In the backdrop of the aforesaid concession on the part of the Id. A.R, we herein allow the withdrawal of the aforesaid appeal. Accordingly, the appeal filed by the assessee is dismissed as withdrawn.

Order pronounced in the open court on 23.07.2019

Sd/-

Sd/-

(N.K. Pradhan)

ACCOUNTANT MEMBER

मुंबई Mumbai; दिनांक 23.07.2019

PS: Rohit

(Ravish Sood)

JUDICIAL MEMBER

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

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

सत्यापित प्रति //True Copy//

आदेशानुसार/ BY ORDER,

उप/सहायक पंजीकार (Dy./Asstt. Registrar)

आयकर अपीलीय अधिकरण, मुंबई / ITAT,

Mumbai

