

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "G": NEW DELHI**

**BEFORE SHRI AMIT SHUKLA, JUDICIAL MEMBER
AND
DR. B.R.R. KUMAR, ACCOUNTANT MEMBER**

ITA No. 2344/Del/2017
Asstt. Year: 2012-13

| | | |
|---|-----|---|
| Wal-Mart India Private Limited E-20, First & Second Floor, Hauz Khas, New Delhi-110 016 | Vs. | Deputy Commissioner of Income Tax, Circle – 27(1) New Delhi. |
| (Appellant) | | (Respondent) |
| PAN No. AADCB2110L | | |

| | |
|--------------------------|--|
| Assessee by : | Shri Nikhil Tandon, CA, Shri Rishabh Malhotra, AR |
| Department by: | Shri N.K. Bansal, Sr. DR |
| Date of Hearing | 27/08/2019 |
| Date of pronouncement | 27/08/2019 |

ORDER

PER DR. B.R.R. KUMAR, AM

The appeal of the assessee has been dismissed by the Id. CIT (A) vide order dated 13.01.2017 on technical grounds that the assessee has filed the appeal manually instead of electronic form using e-filing portal.

2. During the hearing, it was brought to our notice that the assessee filed appeal before the Id. CIT (A) electronically alongwith condonation of delay. The delay was condoned by the Id. CIT (A) and the matter has been adjudicated on merits. The assessee sought to withdraw the appeal as non-maintainable at this juncture. Id. DR has not objected for

withdrawal of the appeal and hence the appeal is hereby dismissed as withdrawn.

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

(Order pronounced in the Open Court on 27/08/2019)

Sd/-

(AMIT KUMAR)
JUDICIAL MEMBER

Sd/-

(Dr. B.R.R. KUMAR)
ACCOUNTANT MEMBER

Dated: 27/08/2019

Copy forwarded to

1. Applicant
2. Respondent
3. CIT
4. CIT (A)
5. DR:ITAT

ASSISTANT REGISTRAR
ITAT, New Delhi