

**IN THE INCOME TAX APPELLATE TRIBUNAL  
VISAKHAPATNAM BENCH, VISAKHAPATNAM**

**BEFORE SHRI V. DURGA RAO, HON'BLE JUDICIAL MEMBER &  
SHRI D.S. SUNDER SINGH, HON'BLE ACCOUNTANT MEMBER**

**ITA No. 34/VIZ/2019  
(Asst. Year : 2012-13)**

Smt. Mogasali Venkata Rajya vs. ITO, Ward-1(4),  
Lakshmi, D.No. 48-06-58, Visakhapatnam.  
Srinagar, Visakhapatnam.

PAN No. AGVPM 7117 K  
(Appellant)

(Respondent)

Assessee by : Shri G.V.N. Hari – Advocate.  
Department By : Shri T.S.N. Murthy – CIT DR

Date of hearing : 25/09/2019.  
Date of pronouncement : 27/09/2019.

**ORDER**

**PER V. DURGA RAO, JUDICIAL MEMBER**

This appeal by the assessee is directed against the order of Principal Commissioner of Income Tax-1, Visakhapatnam, dated 21/03/2018 for the Assessment Year 2012-13.

**2.** This appeal is barred by limitation by 254 days. The assessee has filed an affidavit for condonation of delay. However, at the time of hearing, Id. counsel for the assessee has filed an application for withdrawal of the appeal, but has not substantiated reasons for the delay. Ld.DR has not raised any objection for

withdrawal of the appeal. Under these circumstances, we are of the opinion that the appeal filed by the assessee has to be dismissed in *limini*. Accordingly assessee's appeal is dismissed in *limini*.

**3.** In the result, appeal filed by the assessee is dismissed in *limini*

Order Pronounced in open Court on this 27<sup>th</sup> day of Sept., 2019.

Sd/-  
**(D.S. SUNDER SINGH)**  
Accountant Member

sd/-  
**(V. DURGA RAO)**  
Judicial Member

**Dated:27<sup>th</sup> September, 2019.**

**vr/-**

Copy to:

1. The Assessee – Smt. Mogasali Venkata Rajya Lakshmi, D.No. 48-06-58, Srinagar, Visakhapatnam.
2. The Revenue – ITO, Ward-1(4), Visakhapatnam.
3. The Pr.CIT-1, Visakhapatnam.
4. The D.R., Visakhapatnam.
5. Guard file.

By order

(VUKKEM RAMBABU)  
Sr. Private Secretary,  
ITAT, Visakhapatnam.