

**आयकर अपीलीय अधिकरण "C" न्यायपीठ मुंबई में।**

**IN THE INCOME TAX APPELLATE TRIBUNAL "C" BENCH, MUMBAI**

श्री महावीर सिंह, न्यायिक सदस्य एवं श्री वसीम अहमद, लेखा सदस्य के समक्ष ।

BEFORE SRI MAHAVIR SINGH, JM AND SRI WASEEM AHMED, AM

**आयकर अपील सं./ ITA No. 6652/Mum/2018**

(निर्धारण वर्ष / Assessment Year 2014-15)

|   |              |  |
|---|--------------|--|
| Oberoï Spring Co-operative Housing Society Limited<br>Office of the Oberoi Springs Co-Operative Housing Society Limited, Oshiwara Link Road, Near Monginis Cake Factory, Oshiwara, Andheri (West), Mumbai-400 053 | बनाम/<br>Vs. | The Income Tax officer,<br>Ward-24(3)(1)<br>Mumbai |
| <b>(अपीलार्थी / Appellant)</b>  |              | <b>(प्रत्यर्थी/ Respondent)</b>                    |
| <b>स्थायी लेखा सं./PAN No. AAAA02236K</b>   |              |  |

|  |   |                               |
|--|---|-------------------------------|
| अपीलार्थी की ओर से / <b>Appellant by</b>   | : | None                          |
| प्रत्यर्थी की ओर से / <b>Respondent by</b> | : | Shri Kumar Padmapani Bora, DR |

|   |            |
|---|------------|
| सुनवाई की तारीख / <b>Date of hearing:</b>       | 11.11.2019 |
| घोषणा की तारीख / <b>Date of pronouncement :</b> | 29.11.2019 |

**आदेश / ORDER**

**महावीर सिंह, न्यायिक सदस्य/**

**PER MAHAVIR SINGH, JM:**

This appeal by assessee is arising out of order of the Commissioner of Income Tax (Appeals)]-36, Mumbai [in short CIT(A)], in Appeal No. CIT(A)-36/IT-501/ITO-24(3)(1)/2016-17 vide dated 18.07.2018. The Assessment was framed by the



Income Tax Officer, Ward-24(3)(1), Mumbai (in short ITO / AO) for the A.Y. 2014-15 vide order dated 28.12.2016 under section 143(3) of the Income-tax Act, 1961 (hereinafter 'the Act').

2. At the outset, it is brought to the notice of the Bench that that the assessee has filed withdrawal letter dated 17.10.2019 and the same stated as under: -

*"Reg: Oberoi Springs Co-op Hsg. Society  
Ltd, Appeal No. ITA/6652/Mum/2018 'C'  
Bench*

*Sub: Appeal filed on 26.11.2018 for  
withdrawn of appeal for AY 2014-15*

*In the above matter, the appellant had filed the above appeal as the Hon. CIT(A) had inadvertently omitted to consider the one of the ground of appeal raised by your appellant.*

*Since the Hon. CIT(A) vide their order dated 16.11.2018 have considered the points raised in the first appeal & allowed the same, the appeal filed before your honors becomes infructuous. Hence, it is respectfully submitted to allow your appellant to withdraw the same."*



3. The learned Sr. Departmental Representative has not objected for withdrawal of the same. Hence, the appeal of the assessee is dismissed as withdrawn.

**4. In the result, the appeal of the assessee is dismissed as withdrawn.**

Order pronounced in the open court on 29.11.2019

Sd/-

(वसीम अहमद / WASEEM AHMED)

(लेखा सदस्य / ACCOUNTANT MEMBER)

मुंबई, दिनांक/ Mumbai, Dated:29.11.2019

सुदीप सरकार, व.निजी सचिव / Sudip Sarkar, Sr.PS

Sd/-

(महावीर सिंह /MAHAVIR SINGH)

(न्यायिक सदस्य/ 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 (Asstt. Registrar)

आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai