

(3)

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

**Before Shri C.M.GARG, Judicial Member, and  
Shri O.P. MEENA, Accountant Member**

**ITA No.2249/Ahd/2015  
Assessment Year: 2012-13**

M/s.Vibrant Processor Pvt. Ltd., Block No.293, P.No.293/A, Baleswar, Palsana, Surat-394270. <b>PAN: AADVC3476B</b>	<b>बनाम/</b> Vs.	The Income Tax Officer, Ward-4(1), Surat.
<b>(Appellant)</b>		<b>(Respondent )</b>
<b>Assessee by</b>	Shri Rasesh Shah - CA	
<b>Revenue by</b>	Shri B.P.K.Panda - Sr.DR	
<b>Final Date of Hearing:</b>	02.02.2018	
<b>Date of Order:</b>	02.02.2018	

**आदेश/O R D E R**

**Per Shri C.M. Garg, J.M:**

This appeal by the assessee filed against the order passed by the Commissioner of Income Tax(Appeals)-II, Surat dated 07.07.2015 for the assessment year 2012-13.

2. The Id.AR for the assessee firm placed a submission praying to allow the withdrawal of appeal. The Ld.AR submitted that present appeal has become infructuous as the ITAT Ahmedabad 'D' Bench passed the order in ITA No.249/Ahd/2017 for A.Y.2012-13 dated 31.07.2017 in quantum proceedings for which the assessee requested for stay of the demand.

3. The Ld.Departmental Representative for the Revenue has not objected to the above request of the Ld.AR. In view of the above, the appellant is allowed to withdraw the appeal and the same is dismissed as withdrawn having become infructuous.

4. In view of foregoing, appeal is 'dismissed as withdrawn'.

Order pronounced in the open court on 2<sup>nd</sup> day of February, 2018.

*Sd/-*  
**(O.P.Meena)**

**ACCOUNTANT MEMBER**

*Sd/-*  
**(C.M.Garg)**  
**JUDICIAL MEMBER**

दिनांक /Dated : 02<sup>nd</sup> February, 2018

**S.Gangadhara Rao, Sr.PS**

Copy to: Assessee/AO/Pr. CIT/ CIT (A)/ITAT (DR)/Guard file.

By order

**Assistant Registrar, Surat**