

IN THE INCOME TAX APPELLATE TRIBUNAL "K", BENCH MUMBAI
BEFORE SHRI SAKTIJIT DEY, JUDICIAL MEMBER
&
SHRI G. MANJUNATHA, ACCOUNTANT MEMBER

ITA No.138/Mum/2018
(Assessment Year: 2013-14)

Basell Polyolefins India Private Limited 303/305, Delphi B Wing Hiranandini Business Park Hiranandani Gardens Powai, Mumbai-400 076	Vs.	ACIT-15(1)(2) Room No.483A, Aaykar Bhawan M.K.Road Mumbai-400 020
PAN/GIR No.AACCB5368D		
Appellant)	..	Respondent)

Assessee by	Shri Madhur Agarwal
Revenue by	Shri Anand Mohan & Shri A.H. Ansari, DR's
Date of Hearing	30/01/2020
Date of Pronouncement	12/02/2020

आदेश / O R D E R

PER G.MANJUNATHA (A.M):

This appeal filed by the assessee is directed against final assessment order passed by the Ld. AO u/s 143(3) r.w.s. 144C(13) of the Act, 1961, pursuant to directions of the Ld. Dispute Resolution Panel (DRP)-1, Mumbai u/s 144C(5) of the I.T.Act, 1961 for the AY 2013-14.

2. The Ld. AR for the assessee, at the time of hearing filed a letter, dated 30/01/2020 and submitted that the assessee wants to withdraw appeal filed for the year, because there is no surviving Transfer Pricing Adjustment or any other additions/disallowances in the final assessment order passed u/s 143(3) after giving effect to DRP directions u/s 144C of the Act. The Ld. AR further submitted

that, similar issues involved in other years and therefore, the assessee wish to keep the disputed issues open for adjudication, if necessary at appropriate time. The Ld. DR present for the revenue has not opposed application filed by the assessee for withdrawal of appeal.

3. Having heard both the parties, and considered letter filed by the assessee, we dismiss appeal filed by the assessee as withdrawn, but keep the disputed issues open for the assessee to challenge at appropriate times.

4. In the result, appeal filed by the assessee is dismissed.

Order pronounced in the open court on this 12 /02/2020

Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER

Sd/-
(G. MANJUNATHA)
ACCOUNTANT MEMBER

Mumbai; Dated 12/02/2020
Thirumalesh Sr.PS

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent.
3. The CIT(A), Mumbai.
4. CIT
5. DR, ITAT, Mumbai
6. Guard file.

सत्यापित प्रति //True Copy//

BY ORDER,

(Asstt. Registrar)
ITAT, Mumbai