

**IN THE INCOME TAX APPELLATE TRIBUNAL
“B” BENCH, MUMBAI**

**BEFORE SHRI SANJAY ARORA, ACCOUNTANT MEMBER &
SHRI VIKAS AWASTHY, JUDICIAL MEMBER**

ITA Nos. 6662/Mum/2018
Assessment Year : 2010-11

M/s. Balance Equity Broking (India) Pvt Ltd., 611/612, C Wing, 2 nd Floor, Mittal Commercial off, Andheri Kurla Road, Andheri (E).	बनाम/ Vs.	Dy. CIT 4(1)(1) R. No. 640, 6 th floor, Aayakar Bhavan, M.K. Road, Mumbai.
स्थायी लेखा सं./जीआइआर सं./PAN : AABCB 6329B		
(अपीलार्थी /Appellant)	..	(प्रत्यर्थी / Respondent)

अपीलार्थी ओर से/ Appellant by :	Shri Tanmay Phadke, Adv.
प्रत्यर्थी की ओर से/Respondent by :	Ms. Kavita P. Kaushik (Sr. DR)

सुनवाई की तारीख / Date of Hearing	26.02.2020
घोषणा की तारीख /Date of Pronouncement	26.02.2020

आदेश / O R D E R

Per Sanjay Arora, AM:

This is an Appeal by the Assessee agitating the Order by the Commissioner of Income Tax (Appeals)-2, Mumbai (‘CIT(A)’) dated 21.9.2018, partly allowing the assessee’s appeal contesting its’ assessment u/s. 147 r/w s. 143(3) of the Income Tax Act, 1961 (in short ‘the Act’) dated 29.9.2016 for Assessment Year (AY) 2010-11.

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2. At the very outset, it was submitted by the Id. counsel for the assessee, Sh. Phadke, that the assessee having been allowed the desired relief by virtue of the appeal-effect giving order dated 17.12.2018 by the Assessing Officer (AO), i.e., pursuant to the direction by the Id. CIT(A), the grounds of the instant appeal survive no longer. The same may therefore be permitted to be withdrawn, also placing his request dated 25.02.2020 toward the same on record. The Id. Sr. DR, Ms. Koushik conveys no objection to the same. Under the circumstances, we have no hesitation in permitting the assessee to withdraw its' appeal. We decide accordingly.

3. In the result, the assessee's appeal is dismissed as withdrawn.

This Order is pronounced in Open Court on 26.02.2020

Sd/-
(Vikas Awasthy)
Judicial Member

Sd/-
(Sanjay Arora)
Accountant Member

Mumbai, Dated 26.02.2020
KRK, PS

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आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. संबंधित आयकर आयुक्त / The CIT(A)
4. आयकर आयुक्त(अपील) / Concerned CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, अहमदाबाद / DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER.

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार (Asst. Registrar)
आयकर अपीलीय अधिकरण, अहमदाबाद/ ITAT, Mumbai