

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCHES "D" : DELHI
BEFORE SHRI BHAVNESH SAINI, JUDICIAL MEMBER
AND
SHRI N.K. BILLAIYA, ACCOUNTANT MEMBER
ITA.No.1176/Del./2016
Assessment Year 2008-2009

M/s. Hyatt International-Asia Pacific Ltd., 15 th Floor, One Horizon Centre, Golf Course Road, Sector-43, DLF Phase-V, Gurgaon. PAN AABCH0541H	vs.	The DDIT, (International Taxation), Circle – 1 (2), New Delhi.
(Appellant)		(Respondent)

For Assessee :	Shri Nageshwar Rao, Advocate
For Revenue :	Shri Saras Kumar, D.R.

Date of Hearing :	02.07.2020
Date of Pronouncement :	02.07.2020

ORDER

PER BHAVNESH SAINI, J.M.

This appeal by Assessee has been directed against the Order of the Ld. CIT(A)-43, New Delhi, Dated 04.12.2015, for the A.Y. 2008-2009.

2. In this case assessee filed return of income declaring income of Rs.14,37,17,486/-. The A.O. assessed the income at Rs.14,37,17,486/- vide assessment order dated 29.12.2010 under section 143(3) of the I.T. Act, 1961. The Ld. CIT(A) noted in his findings that since there is no additions or variations in the return of income, therefore, there is no cause for exercising the appellate powers. Appeal of the assessee was accordingly dismissed.

3. The assessee has filed an application for withdrawal of the appeal stating therein that assessee may be permitted to withdraw the appeal as the issue on merit has become academic for the present appeal, however, reserve their right to contest the issue on merit in case need arise in other assessment years. Learned Counsel for the Assessee, therefore, submitted that assessee may be permitted to withdraw the appeal with liberty to contest the issue on merit in other assessment years, if need arise.

4. Considering the above facts, we permit the assessee to withdraw the appeal with liberty to contest the issue on merit in future year, if so advised, in accordance

with law. Appeal of the assessee is accordingly dismissed as withdrawn.

5. In the result, appeal of the Assessee dismissed as withdrawn.

Order pronounced in the open Court.

(N.K. BILLAIYA)
ACCOUNTANT MEMBER

(BHAVNESH SAINI)
JUDICIAL MEMBER

Delhi, Dated 02nd July, 2020

VBP/-

Copy to

1.	The appellant
2.	The respondent
3.	CIT(A) concerned
4.	CIT concerned
5.	D.R. ITAT 'D' Bench, Delhi
6.	Guard File.

// BY Order //

Assistant Registrar : ITAT Delhi Benches :
Delhi.