

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT),  
'B' BENCH MUMBAI**

**BEFORE SHRI M.BALAGANESH, AM**

**&**

**SHRI RAVISH SOOD, JM**

**ITA No.1019/Mum/2015  
(Assessment Year :2010-11)**

M/s. Mack Star Marketing Private Limited, Thar & Co., 203, Capri Building, Opposite HDIL Towers, Anant Kanekar Marg Bandra (E), Mumbai - 400051	Vs.	Income Tax Officer-5(2)-3 Aayakar Bhavan M.K.Road, Mumbai – 400 020
<b>PAN/GIR No. AADCM7564K</b>		
<b>(Appellant)</b>	..	<b>(Respondent)</b>

Assessee by	Ms. Komal
Revenue by	Shri Purushottam Tripuri
<b>Date of Hearing</b>	<b>17/12/2020</b>
<b>Date of Pronouncement</b>	<b>17/12/2020</b>

**आदेश / O R D E R**

**PER M. BALAGANESH (A.M):**

This appeal in ITA No.1019/Mum/2015 for A.Y.2010-11 arises out of the order by the Id. Commissioner of Income Tax (Appeals)-9, Mumbai in appeal No.CIT(A)-9/ITO-5(2)(3)/226/2013-14 dated 03/11/2014 (Id. CIT(A) in short) against the order of assessment passed **u/s.143(3)** of the Income Tax Act, 1961 (hereinafter referred to as Act) dated

30.03.2013 by the Id. Income Tax Officer-5(2)3, Mumbai (hereinafter referred to as Id. AO).

2. Assessee vide its dated 17/12/2020, prayed for withdrawal of appeal in ITA No. 1019/Mum/2015. For the sake of convenience, we are reproducing the contents of the said Application as under:-

*"The captioned appeal is listed for hearing before the 'B' Bench of Hon'ble Mumbai ITAT tomorrow (i.e. 17 December 2020). In this regard, the Assessee wishes to withdraw the appeal for reasons specified in the attached letter. Accordingly, the Assessee requests you to please take the attached letter on record.*

*Further, the Assessee requests you to send the link of the virtual court room on this email ID in order to appear before the Hon'ble ITAT tomorrow"*

3. Ld. DR has not raised any objection.

4. We have heard both the parties and perused the records, especially the Application for withdrawal of the Appeal. We find considerable cogency in the contentions of the Ld. Counsel for the Assessee as aforesaid. Keeping in view of the facts and circumstances of the case, we accept the request of the assessee's counsel for withdrawal of the Appeal and accordingly, we dismiss the Appeal as withdrawn.

**5. In the result, the appeal of the Assessee is dismissed.**

Order pronounced in the open Court on 17/12/2020.

**Sd/-**  
**(RAVISH SOOD)**  
JUDICIAL MEMBER

**Sd/-**  
**(M.BALAGANESH)**  
ACCOUNTANT MEMBER

Mumbai; Dated 17/12/2020  
KARUNA, 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.

//True Copy//

BY ORDER,

(Asstt. Registrar)  
ITAT, Mumbai