

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'I-1', NEW DELHI
(THROUGH VIDEO CONFERENCING]**

**BEFORE SHRI N.K. BILLAIYA, ACCOUNTANT MEMBER, AND
MS. SUCHITRA KAMBLE, JUDICIAL MEMBER**

**ITA No.5499/DEL/2018
[A.Y 2013-14]**

Cosmos Tradeim P. Ltd.
Shop No.404, 4th Floor,
2633-2634, Plot No.249-250
Bank Street, Karol Bagh,
New Delhi

Vs.

ITO
Ward - 6 (3)
New Delhi
PAN No.AAECC2807J

[Appellant]

[Respondent]

**Date of Hearing : 25.08.2021
Date of Pronouncement : 25.08.2021**

Assessee by : Shri Hiren Mehta, CA
Revenue by : Sh. Surender Pal, CIT DR

ORDER

PER N.K. BILLAIYA, ACCOUNTANT MEMBER

This appeal by the assessee is preferred against the order of the
Commissioner of Income Tax [Appeals]-44, New Delhi
dated 24.07.2018 pertaining to Assessment Year 2013-14.

2. At the very outset, the counsel filed the following letter before the Bench :-

Dated: 24.08.2021

1-1 Bench, UAT,
10th Floor, Lok Nayak Bhawan,
Khan Market,
New Delhi-110003

Sub: IT A No. 8499/D/18 for A.Y. 2013-14 in the case of Cosmos Trade Exim Pvt. Ltd.

Hon'ble Bench,

With regard to the captioned 3TA Fixed for hearing on 25.08.2021, the appellant is requesting for withdrawal of the above appeal in view of the following:

1. It is submitted that against the order of CIT (A) dated 24.07.2018 an appeal was filed since the grievances raised by the appellant against the order of TPO were partly allowed by CIT (A).
2. Thereafter, a stay application dated 15.09.2018 was filed requesting for stay against recovery of demand pursuant to the order passed by CIT (A).
3. During the course of hearing of the stay application the Hon'ble ITAT directed the DR to get the working of demand after appeal effect verified, on various dates.
4. It is submitted that the TPO has passed an order dated 25.10.2018 giving effect to the directions of CIT (A) in Appeal No. 94/2017-18. A copy of said appeal effect order is enclosed herewith. Upon perusal of the appeal effect order passed by the TPO, it can be noted that NIL adjustment u/s 92CA has been computed.

In view of the above, it is requested that the appellant may be permitted to withdraw the captioned appeal pending before ITAT.

Thanking you,

Yours faithfully,
For Dinesh Mehta & Co.
Chartered Accountants

(Nirbhay Mehta)
Advocate

3. In view of the above, this appeal filed by the assessee is dismissed as withdrawn.

The order is pronounced in the open court on 25.08.2021 in the presence of both the rival representatives.

Sd/-
[SUCHITRA KAMBLE]
JUDICIAL MEMBER

Sd/-
[N.K. BILLAIYA]
ACCOUNTANT MEMBER

Dated: 25.08.2021

NEHA

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar,
ITAT, New Delhi

Date of dictation	25.08.2021
Date on which the typed draft is placed before the dictating Member	25.08.2021
Date on which the typed draft is placed before the Other Member	25.08.2021
Date on which the approved draft comes to the Sr.PS/PS	25.08.2021
Date on which the fair order is placed before the Dictating Member for pronouncement	25.08.2021
Date on which the fair order comes back to the Sr.PS/PS	25.08.2021
Date on which the final order is uploaded on the website of ITAT	25.08.2021
Date on which the file goes to the Bench Clerk	25.08.2021
Date on which the file goes to the Head Clerk	
The date on which the file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	