

**IN THE INCOME TAX APPELLATE TRIBUNAL  
“RAJKOT” BENCH, RAJKOT**

[Conducted through E-Court at Ahmedabad]

**BEFORE SHRI MAHAVIR PRASAD, JUDICIAL MEMEBR  
& SHRI WASEEM AHMED, ACCOUNTANT MEMEBR**

आयकर अपील सं./I.T.A. No. 386/Rjt/2018

(निर्धारण वर्ष / Assessment Year : 2009-10)

<b>M/s. Reliance Eminent Trading &amp; Commercial Private Limited</b> Raman Rati Apartment, Nr. Ashapura Hotel, Saru Section Road, Jamnagar	<b>बनाम/</b> Vs.	<b>The Principal Commissioner of Income Tax</b> Jamnagar
स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. : AAFCA4038G		
(अपीलार्थी /Appellant)	..	(प्रत्यर्थी / Respondent)

अपीलार्थी ओर से/Appellant by :	Shri Nimesh Vora, A.R.
प्रत्यर्थी की ओर से / Respondent by :	Shri James Kurian, CIT D.R.

सुनवाई की तारीख / Date of Hearing	02/02/2022
घोषणा की तारीख /Date of Pronouncement	04/02/2022

**ORDER**

**PER MAHAVIR PRASAD, JM:**

The captioned appeal has been filed at the instance of the assessee against the order of the Principal Commissioner of Income Tax, Jamnagar ('PCIT' in short) vide Appeal No. PCIT.J/HQ/263/RETCPL/2018-19, dated 14.08.2018 arising in the assessment order dated 16.12.2016 passed by the Assessing Officer (AO) under s. 143(3) r.w.s. 147 of the Income Tax Act, 1961 (the Act) concerning AY. 2009-10.

2. At the time of hearing, learned counsel for the assessee Shri Nimesh Vora stated that the consequential order pursuant to the impugned revision order u/s. 263 of the Act, has been passed on 30.09.2021 by the Assistant Commissioner of Income Tax, Mumbai 4(3)(1), wherein the returned income of the assessee was accepted as assessed. Accordingly, the captioned appeal, as being filed against the order u/s. 263, has become infructuous. Thus, assessee seeks permission to withdraw the captioned appeal. Ld. Departmental Representative for the Revenue did not express any objection in this regard. Accordingly, the prayer of the assessee for withdrawal is granted.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

**This Order pronounced in Open Court on 04/02/2022**

Sd/-  
(WASEEM AHMED)  
ACCOUNTANT MEMBER  
Ahmedabad: Dated 04/02/2022

Sd/-  
(MAHAVIR PRASAD)  
JUDICIAL MEMBER

True Copy

S.K.SINHA

**आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-**

1. राजस्व / Revenue
2. आवेदक / Assessee
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त- अपील / CIT (A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, अहमदाबाद /  
DR, ITAT, Ahmedabad
6. गार्ड फाइल / Guard file.

By order/आदेश से,

Deputy/Asstt. Registrar  
ITAT, Rajkot