

**IN THE INCOME TAX APPELLATE TRIBUNAL, JABALPUR BENCH,
JABALPUR**
(through Virtual Hearing)

BEFORE SH. SANJAY ARORA, HON'BLE ACCOUNTANT MEMBER
& SH. MANOMOHAN DAS, HON'BLE JUDICIAL MEMBER

ITA Nos.18/JAB/2017
Assessment Year: 2012-13

Ankit Mishra South Civil Lines Jabalpur (M.P.) [PAN :ANIPM 0453E] (Appellant)	vs.	Income Tax Officer, Ward-2(5), Jabalpur (M.P.) (Respondent)
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Appellant by	Sh. Rahul Bardia, FCA
Respondent by	Sh. D Lahiri, CIT-DR
Date of hearing	25/02/2022
Date of pronouncement	25/02/2022

ORDER

Per Sanjay Arora, AM

This is an appeal by the assessee directed against the order dated 28/3/2017 by the revisionary authority under section 263 of the Income Tax Act, 1961 ('the Act' hereinafter) in respect of his assessment dated 09/3/2015 u/s. 143(3) for assessment year (AY) 2012-13.

2. At the outset, it stands submitted by the Id. counsel for the assessee, Sh. Bardia, that the assessee has since secured full relief from the first appellate authority, i.e., in respect of the income assessed in the set aside proceedings pursuant to the impugned order vide order dated 27/12/2017, which therefore renders the assessee's appeal there-against infructuous. The same is accordingly requested to be withdrawn, and which is prayed for acceptance.

3. We have heard the parties before us, and perused the material on record. It was clarified by Sh. Bardia, upon query, that no appeal stands filed by the assessee (or by the Revenue) against the appellate order dated 22/7/2019 against his assessment dated 27/12/2017 (copies on record). Under the circumstances, the tax dispute under reference has attained finality; the tax effect being also below rs. 50 lacs, the extant monetary limit u/s. 268A. The appellant's request being also not objected to by the Id. CIT-DR, we have no hesitation in, acceding to the said request, permit the withdrawal of the captioned appeal. We direct accordingly.

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 In the result, the assessee's appeal is dismissed as withdrawn.

Order pronounced in the Open Court on February 25, 2022

Sd/-
(Manomohan Das)
Judicial Member

Sd/-
(Sanjay Arora)
Accountant Member

Dated: 25/02/2022

Copy of the Order forwarded to:

1. The Appellant: Sh. Ankit Mishra, 'Caravas', Aseem Commercial Plaza, South Civil Lines, Jabalpur 482 001 (M.P.)
2. The Respondent: Income Tax Officer, Ward - 2(5) Jabalpur (M.P.)
3. Pr. CIT-1, Jabalpur (M.P.)
4. The CIT-DR, ITAT, Jabalpur (M.P.)
5. Guard File

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