

आयकर अपीलीय अधिकरण "बी" न्यायपीठ पुणे में ।
IN THE INCOME TAX APPELLATE TRIBUNAL "B" BENCH, PUNE

BEFORE SHRI S.S. VISWANETHRA RAVI, JUDICIAL MEMBER
AND
DR. DIPAK P. RIPOTE, ACCOUNTANT MEMBER

आयकर अपील सं. / ITA No.1113/PUN/2019
निर्धारण वर्ष / Assessment Year : 2011-12

The Income Tax Officer,
Ward – 1, Ahmednagar

.....अपीलार्थी / Appellant

बनाम / V/s.

Shri Sachin Tukaram Jadhav,
Kings Gate, J.J. Galli,
Ahmednagar – 414001

PAN : AGRPJ8332R

.....प्रत्यर्थी / Respondent

Assessee by : N O N E
Revenue by : Shri M. Jasnani

सुनवाई की तारीख / Date of Hearing : 12-04-2022
घोषणा की तारीख / Date of Pronouncement : 12-04-2022

आदेश / ORDER

PER S.S. VISWANETHRA RAVI, JM :

This appeal by the Revenue against the order dated 03-04-2019 passed by the Commissioner of Income Tax (Appeals)-2, Pune [‘CIT(A)’] for assessment year 2011-12.

2. The Revenue vide letter dated 11-04-2022 prayed to withdraw the appeal in view of low tax effect. The relevant extract of the application reads as under :

“2. In this case, Dept. Has filed appeal to the Hon’ble ITAT vide ITA No. 1113/PUN/2019 for the A.Y. 2011-12, against the order of CIT(A)-2, Pune

deleting penalty levied u/s. 271(1)(c) of the Income tax Act, 1961 amounting to Rs.47,39,100/-.

3. In this regard, it is submitted that as per CBDT Circular No. 17/2019 dated 08.08.2019, the revised monetary limit for filing appeal before Hon'ble ITAT is Rs.50 lakh. The quantum of penalty deletion of Rs.47,39,100/-, which is below the prescribed limit of filing appeal to Hon'ble ITAT. Further, it is certified that the case does not falls under any exception of clause 10 of CBDT Circular No. 3/2018 dated 11.07.2018.

4. In view of above facts, it is requested that appeal filed in this case, vide above ITA No. may be withdrawn.”

3. The ld. AR for the assessee vide letter dated 11-04-2022 has no objection in case the Revenue wishes to withdraw the appeal.

4. In view of the request made by the Revenue the appeal is dismissed as withdrawn.

Order pronounced in the open court on 12th April, 2022.

Sd/-
(Dr. Dipak P. Ripote)
ACCOUNTANT MEMBER

Sd/-
(S.S. Viswanethra Ravi)
JUDICIAL MEMBER

पुणे / Pune; दिनांक / Dated : 12th April, 2022.

रवि

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(A)-2, Pune
4. The Pr. CIT-1, Pune
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, "बी" बेंच,
पुणे / DR, ITAT, "B" Bench, Pune.
6. गार्ड फ़ाइल / Guard File.

//सत्यापित प्रति// True Copy//

आदेशानुसार / BY ORDER,

वरिष्ठ निजी सचिव / Sr. Private Secretary
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune