

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'B': NEW DELHI**

**BEFORE,
SHRI SAKTIJIT DEY, JUDICIAL MEMBER
AND
SHRI ANADEE NATH MISSHRA, ACCOUNTANT MEMBER**

**ITA No.370/Del/2020
(ASSESSMENT YEAR 2011-12)**

Sh. Gaurav Nijhara C/o Anil Jain DD & Co., Flat No.611 Surya Kiran Building 19 K.G. Marg Delhi-110 001 PAN-ACCPN 1803E	Vs.	Income Tax Officer Ward-61(4) New Delhi
(Appellant)		(Respondent)

Appellant by	Sh. Anil Jain, Authorized Representative
Respondent by	Sh. Jagdish Singh, Senior Departmental Representative ("Sr. DR" for short)

ORDER

PER ANADEE NATH MISSHRA, AM:

(A) This appeal by Assessee is filed against the order of Learned Commissioner of Income Tax (Appeals), Delhi ["Ld. CIT(A)", for short], dated 29/11/2019 for Assessment Year 2011-12.

(B) In this case, the assessee filed a letter by expressing the desire to withdraw this appeal. At the time of hearing before us, the Ld. Authorized Representative for the assessee drew our attention to the aforesaid letter and submitted that the appeal may be treated as withdrawn.

(B.1) The Ld. Sr. DR for Revenue expressed no objection against withdrawal of the appeal by the assessee.

(B.2) On perusal of the records, we find that registry had communicated defect to the appellant assessee informing that appeal fee was short by Rs.1108/-. We find nothing on records to show that the defect has been removed or cured by the appellant assessee. Therefore, this appeal being defective, is in any case not maintainable.

(B.2.1) In view of the foregoing; this appeal filed by the assessee is dismissed being withdrawn, and also being not maintainable.

(C) In the result, this appeal is dismissed.

This order was already pronounced orally on 26th July, 2022 in Open Court, in the presence of representatives of both

sides, after conclusion of the hearing. Now this order in writing is signed today on 26/07/2022.

Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER

Dated: 26/07/2022
Pk

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

Sd/-
(ANADEE NATH MISSHRA)
ACCOUNTANT MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI