

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCH "B", PUNE

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

ITA No.297/PUN/2021

निर्धारण वर्ष / Assessment Year : 2016-17

Shri Shailesh Ramniklal Shah 129/130, Abhyankar Towers, M.G. Road, Opp. Bata Showroom, Nashik – 422001 PAN : ADBPS3092C	Vs.	Pr.CIT, Nashik-1
Appellant		Respondent

Assessee by Shri Nimish Dixit
Revenue by Shri Saradar Singh Meena

Date of hearing 18-07-2022
Date of pronouncement 27-07-2022

आदेश / ORDER

PER S.S. GODARA, JM :

This assessee's appeal for AY 2016-17 arises against the PCIT, Nashik-1's order dated 12-03-2021 passed in caseNo.ITBA/REV/F/REV5/2020-21/1031447103(1) involving proceedings under Section 263 of the Income Tax Act, 1961, in short 'the Act'.

Heard both the parties. Case file perused.

2. It emerges at the outset that the assessee has filed his letter dated 18.04.2022 seeking to withdraw the instant appeal as follows:

“The impugned appeal has been filed by the assessee against the Revision Order u/s 263 passed for A.Y. 2016-17. It is submitted that in the asst. order passed u/s 143(3) r.w.s. 263, the A.O. has accepted the claim of the assessee without making any addition on the issue which was directed to be verified by the PCIT vide the revision order u/s 263. In view of this fact, the present appeal filed against the revision order u/s 263 has become infructuous. Therefore, the assessee requests for withdrawal of the present appeal. The assessee would be grateful if the appeal is permitted to be withdrawn.”

3. The department is fair enough in not opposing to the assessee's foregoing withdrawal request. Ordered accordingly.

4. This assessee's appeal is dismissed as withdrawn in foregoing terms.

Order pronounced in the Open Court on 27th July, 2022.

Sd/-
(DIPAK P. RIPOTE)
ACCOUNTANT MEMBER

Sd/-
(S.S. GODARA)
JUDICIAL MEMBER

पुणे Pune; दिनांक Dated : 27th July, 2022
GCVSR

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

1. अपीलार्थी / The Appellant;
2. प्रत्यर्थी / The Respondent;
3. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, पुणे "B" /
DR 'B', ITAT, Pune
4. गार्ड फाईल / Guard file

आदेशानुसार/ BY ORDER,**// True Copy //**

Senior Private Secretary
आयकर अपीलीय अधिकरण ,पुणे / ITAT, Pune

		Date	
1.	Draft dictated on	21-07-2022	Sr.PS
2.	Draft placed before author	22-07-2022	Sr.PS
3.	Draft proposed & placed before the second member		JM
4.	Draft discussed/approved by Second Member.		JM
5.	Approved Draft comes to the Sr.PS/PS		Sr.PS
6.	Kept for pronouncement on		Sr.PS
7.	Date of uploading order		Sr.PS
8.	File sent to the Bench Clerk		Sr.PS
9.	Date on which file goes to the Head Clerk		
10.	Date on which file goes to the A.R.		
11.	Date of dispatch of Order.		