

आयकर अपीलीय अधिकरण, इंदौर न्यायपीठ, इंदौर
**IN THE INCOME TAX APPELLATE TRIBUNAL
INDORE BENCH, INDORE**

**BEFORE SHRI MAHAVIR PRASAD, JUDICIAL MEMBER AND
SHRI B.M. BIYANI, ACCOUNTANT MEMBER**

(Conducted through Virtual Court)

**ITA No.649/Ind/2019
Assessment Year: 2014-15**

Sahkari Vipnan Evam Prakriya Samiti Ujjain	vs.	ITO-2(2) Ujjain
(Appellant / Assessee)		(Respondent/ Revenue)
PAN: AACAS1797H		
Assessee by	None	
Revenue by	Shri P.K. Mitra, CIT-DR	
Date of Hearing	20.07.2022	
Date of Pronouncement	25.07.2022	

ORDER

Per B.M. Biyani, A.M.:

1. This appeal filed by assessee is directed against the revision-order dated 28.03.2019 passed by learned Pr. Commissioner of Income-Tax, Ujjain [**Ld. PCIT**] u/s 263 of the Income-tax Act, 1961 [**the Act**], which in turn arises out of the order of assessment dated 17.06.2016 passed by learned ITO-2(2), Ujjain [**the Ld. AO**] u/s 143(3) for Assessment-Year 2014-15.

2. When the case was taken up for hearing, the assessee filed an application stating that the revenue has already passed assessment-order on 28.11.2019 u/s 143(3) of the Act in pursuance of the aforesaid order dated 28.03.2019 appealed against in present appeal. Thereafter, the assessee filed an appeal against the assessment-order dated 28.11.2019 to

Ld. CIT(A). The Ld. CIT(A) has already decided the appeal filed by the vide order dated 04.05.2022 wherein full relief has been granted to the assessee. A copy of appeal order is also filed by assessee on record. The assessee has requested that since the appeal against the assessment-order passed by Ld. AO in pursuance of the revision-order u/s 263 of the Act has already been decided in assessee's favour, there does not survive any grievance to the assessee. Therefore, the assessee does not want to pursue this appeal and as such requested to withdraw the appeal.

3. We have considered the request of assessee to withdraw the appeal. We have also confronted the Ld. DR who did not have any objection if the withdrawal is permitted. Therefore, we allow withdrawal of this appeal as prayed for.

4. In the result, the present appeal is dismissed.

Order pronounced as per Rule 34 of I.T.A.T. Rules 1963 on 25.07.2022.

Sd/-

(MAHAVIR PRASAD)
Judicial Member

Sd/-

(B.M. BIYANI)
Accountant Member

Indore,

Dated : **25th July, 2022**

Patel/ Sr. P.S.

Copies to: (1) The appellant
(2) The respondent
(3) CIT
(4) CIT(A)
(5) Departmental Representative
(6) Guard File

By order

*Sr. Private Secretary
Income Tax Appellate Tribunal
Indore Bench, Indore*

1.	Date of taking dictation	21.7.22
2.	Date of typing & draft order placed before the Dictating Member	21.7.22
3.	Date on which the approved draft comes to the Sr. P.S./P.S.	
4.	Date on which the fair order is placed before the Dictating Member for pronouncement	
5.	Date on which the file goes to the Bench Clerk	
6.	Date on which the file goes to the Head Clerk	
7.	Date on which the file goes to the Assistant Registrar for signature on the order	
8.	Date of dispatch of the Order	