

**IN THE INCOME TAX APPELLATE TRIBUNAL  
“C” BENCH, MUMBAI**

**BEFORE SHRI AMIT SHUKLA, JM &  
SHRI PRASHANT MAHARISHI, AM**

आयकरअपीलसं./ I.T.A. No. 2368/Mum/2021  
(निर्धारणवर्ष / Assessment Year: 2016-17)

<b>M/s Citra Properties Ltd.</b> M-62 & 63, 1 <sup>st</sup> floor, Cannaught Place, New Delhi	<b>बनाम/ Vs.</b>	<b>CIT-54,</b> 1 <sup>st</sup> floor, Earnest House, Nariman Point, Mumbai-400 021
स्थायीलेखासं ./जीआइआरसं ./PAN No. AADCC0776B		
(अपीलार्थी/ <b>Appellant</b> )	:	(प्रत्यर्थी / <b>Respondent</b> )

अपीलार्थीकीओरसे/ <b>Appellant by</b>	:	Shri K. Gopal, Ld. AR
प्रत्यर्थीकीओरसे/ <b>Respondent by</b>	:	Shri Nimesh Yadav, Ld. DR
सुनवाईकीतारीख/ <b>Date of Hearing</b>	:	11.08.2022
घोषणाकीतारीख / <b>Date of Pronouncement</b>	:	11.08.2022

आदेश / O R D E R

**Per Amit Shukla, Judicial Member:**

The aforesaid appeal has been filed by the assessee against the impugned order dated 26.03.2021, passed by Ld. CIT(A)-54, Mumbai for the quantum of assessment passed u/s 143(3) for AY 2016-17.

2. At the outset, it is brought to our notice that assessee has filed an application dated 08.08.2022 for withdrawal of appeal, which are as under:-

*Sub: Application for Withdrawal of appeal.*

*This application is to seek your honors' permission to withdraw the abovementioned appeal which is fixed for hearing on 11.08.2022. The only issue agitated in this appeal filed by the assessee is the denial of credit of TDS deducted by the deductor i.e., Indiabulls Housing Finance Ltd. on a transaction which was cancelled and no income was offered to tax. Now, the deductor will initiate independent proceedings to claim the refund of Rs. 1,15,00,000/-. Thus, the appellant wants to withdraw the appeal filed by it.*

*In view of the same, we request your honors to kindly grant us the permission to withdraw the abovementioned appeal and oblige.*

3. Ld. DR did not have any objection to the said request of withdrawal.

4. Considering the contents of the letter as mentioned above, we allow the request of the assessee for withdrawing the present appeal.

5. In the net result, the appeal filed by the assessee stands **dismissed as withdrawn.**

*Orders pronounced in the open court on 11<sup>th</sup> August, 2022.*

*Sd/-*  
**(Prashant Maharishi)**

Accountant Member

मुंबई Mumbai;दिनांक Dated : 11/08/2022

*Sr.PS. Dhananjay*

*Sd/-*  
**(Amit Shukla)**

Judicial Member

**आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :**

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकरआयुक्त(अपील) / The CIT(A)
4. आयकरआयुक्त/ CIT- concerned
5. विभागीयप्रतिनिधि, आयकरअपीलीयअधिकरण, मुंबई/ DR, ITAT, Mumbai
6. गार्डफाईल / Guard File

**आदेशानुसार/ BY ORDER,**

**उप/सहायकपंजीकार (Dy./Asstt.Registrar)**  
**आयकरअपीलीयअधिकरण, मुंबई/ ITAT, Mumbai**