

IN THE INCOME TAX APPELLATE TRIBUNAL
“RANCHI BENCH, RANCHI
VIRTUAL HEARING AT KOLKATA

Before Shri Sanjay Garg, Judicial Member and Shri Manish Borad, Accountant Member

I.T.A. No.126/Ran/2018
Assessment Year: 2011-12

M/s Bharat Coking Coal Ltd..... Appellant
Finance Directorate, Ground Floor,
Koyla Bhawan, Koyla Nagar,
Dhanbad-826005.
[PAN: AAACB7934M]

vs.

ACIT, Circle-1, Dhanbad..... Respondent

Appearances by:

Shri M. K. Choudhary, Advocate, appeared on behalf of the appellant.

Shri Saumyajit Das Gupta, CIT-DR, appeared on behalf of the Respondent.

Date of concluding the hearing : August 26, 2022

Date of pronouncing the order : September 07, 2022

ORDER

Per Sanjay Garg, Judicial Member:

The present appeal has been preferred by the assessee against the order dated 20.09.2017 of the Commissioner of Income Tax (Appeals), Dhanbad [hereinafter referred to as ‘CIT(A)’] passed u/s 250 of the Income Tax Act (hereinafter referred to as the ‘Act’).

2. At the outset, the Id. Counsel for the assessee has submitted that the assessee may be allowed to withdraw the present appeal. A letter dated 25.08.2022 in this respect has been filed, the contents of which are reproduced as under:

*From: M/s Bharat Coking Coal Ltd.,
Koyla Bhawan,
Dhanbad*

*Before,
Hon'ble Income Tax Appellate Tribunal,
Ranchi Bench,*

Ranchi

Sir,

Reg: **I.T.A. No. 126/Ran/2018- AY 2011-12 u/s 147 r.w.s. 143(3)**

Respectfully, with reference to the hearing of the above appeal fixed on 25.08.2022 it is submitted that there was a point in dispute at Ground No.4 in relation to disallowance of interest u/s 40(a)(ia) on interest waived by the parent holding company M/s Coal India Ltd. amounting to Rs. 37,86,26,000/-.

Besides, at Ground No.3 there was dispute of Rs. 133.93 crores. In fact this addition was made in order u/s 143(3) against which ITA No. 293R/2017 is also pending. As such this ground is not pressed here in this appeal. As such the ground Nos. 1, 2 & 3 are not pressed.

We are enclosing herewith the order u/s 143(3)/154/147/251/154 dated 31.03.2021 passed by Ld. AO, vide which the aforesaid addition of Rs.37,86,26,000/-, as per aforesaid Ground No. 4, has been reduced out of the total income. As such now there remains no dispute in the aforesaid appeal of the appellant.

It is, therefore, requested that the aforesaid appeal be treated as withdrawn, as not pressed. Copy of similar order passed in ITA No.No.129/Ran/2018 Dated 24.02.2022 is also attached.

For this act of kindness we shall remain much grateful.

Filed by,

Encl: Order u/s 143(3)/154/147/251/154 dated 31.03.2021
Order passed in ITA No. No.129/Ran/2018 Dated 24.02.2022

Ranchi

Dt. 20.08.2022

(M. K. Chowdhary)
Advocate

3. In view of above submissions, the appeal of the assessee is hereby dismissed as withdrawn.

Kolkata, the 7th September, 2022.

Sd/-
[Manish Borad]
Accountant Member

Sd/-
[Sanjay Garg]
Judicial Member

Dated: 07.09.2022.

RS

Copy of the order forwarded to:

1. M/s Bharat Coking Coal Ltd
2. ACIT, Circle-1, Dhanbad
3. CIT(A)-
4. CIT- ,
5. CIT(DR),

//True copy//

By order

Assistant Registrar, Kolkata Benches