

THE INCOME TAX APPELLATE TRIBUNAL  
"C" Bench, Mumbai  
Shri B.R. Baskaran (AM) & Shri Rahul Chaudhary (JM)

I.T.A. No. 1469/Mum/2022  
I.T.A. No. 1470/Mum/2022

Prayosha Foundation 165/301, Road No. 10 Goregaon, Goregaon SO Mumbai-400 104.  PAN : AAETP1293L	Vs.	CIT (Exemption) Mumbai.
(Appellant)		(Respondent)

I.T.A. No. 1471/Mum/2022  
I.T.A. No. 1473/Mum/2022

Champalal Kantilal Charitable Trust 704, Sky High Tower Shankar Lane Near Orleam, Malad West Mumbai-400 064. PAN : AABTC6191M	Vs.	CIT (Exemption) Mumbai.
(Appellant)		(Respondent)

Assessee by	Shri Sumit Mantri
Department by	ShriGanesh Bare
Date of Hearing	01.09.2022
Date of Pronouncement	01.09.2022

ORDER

Per Bench:-

All these appeals filed by the two different assessees are directed against the registration granted under section 12AB of the I.T. Act.

2. At the time of hearing, both the assessees wanted to withdraw the appeals. The reasons for withdrawal have been stated by these assessees in

the letter filed by each of them. For the sake of convenience, we extract below the reasons given in ITA No. 1471/Mum/2022.

“This is in reference to the above mentioned Appellant and on the instructions of our client we hereby state as under :-

The above said appeals were filed in respect of Trust registration granted under 01-Sub clause (i) of clause (ac) of sub-section (1) of section 12A(1)(ac) and 11-Clause (1) of first proviso to sub-section (5) of section 80G through Form 10AC.

We would like to state that the Finance Act, 2020 and 2021 introduced changes to the law pertaining to the registration and approval of trusts under the Income-tax Act 1961(ITA). Section 12AB has been inserted to make the registration process of trusts effective.

As per above amendment, trusts are required to move from the earlier Section 12AA to the new provision of Section 12AB and obtain a fresh registration, which came into effect from April 1, 2021.

The appellant trust had applied for the same through Form 10A. The Principal Commissioner of Income Tax/Commissioner of Income Tax through form 10AC granted the approval subject to certain conditions.

The condition mentioned in the registration order cum form 10AC are unwarranted. unjustified and without any authority of Law. Against the same, the appellant had preferred appeal before your honour

Subsequently. The CBDT through Circular 11 of 2022 dated 03.06.2022 issued clarification regarding form No. 10AC issued till the date of this circular. In the said circular, the CBDT had substituted the conditions specified in Form 10AC We are hereby enclosing the said circular for your honour reference.

Thus, we want to withdraw our appeals. We request your honour, kindly grant the permission and oblige us.”

3. The Learned DR did not object to the requests made by the assesseees. Accordingly, we allow both the assesseees to withdraw the appeals.

4. In the result, all these appeals filed by these assesseees are dismissed as withdrawn.

Order pronounced in the open court on 01.09.2022.

Sd/-  
(RAHUL CHAUDHARY)  
JUDICIAL MEMBER

Sd/-  
(B.R. BASKARAN)  
ACCOUNTANT MEMBER

Mumbai; Dated : 01/09/2022

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent
3. The CIT(A)
4. CIT
5. DR, ITAT, Mumbai
6. Guard File.

//True Copy//

BY ORDER,

(Assistant Registrar)  
ITAT, Mumbai

PS