

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'C', NEW DELHI**

**BEFORE SH. N.K. BILLAIYA, ACCOUNTANT MEMBER
AND
SH. KUL BHARAT, JUDICIAL MEMBER**

ITA No.3994/Del/2018
Assessment Year: 2013-14

Jay Ace Technologies Ltd. GI-48, GT Karnal Road, Industrial Area, New Delhi PAN No.AACCJ2030N	Vs	Pr. CIT Central-2 New Delhi
(APPELLANT)		(RESPONDENT)

Appellant	Sh. Shailesh Gupta, Advocate
Respondent	Ms. Neha Chaudhary, CIT (DR)

Date of hearing:	17/11/2022
Date of Pronouncement:	17/11/2022

ORDER

PER N.K. BILLAIYA, AM:

This appeal by the assessee is preferred against the order of the CIT(Central-II), New Delhi dated 31.03.2018 pertaining to A.Y.2013-14.

2. The sum and substance of the grievance of the assessee is that the PCIT erred in assuming the jurisdiction u/s. 263 of the Act and further erred in treating the assessment order framed u/s. 143 (3) of the Act as erroneous and prejudicial to the interest of the revenue.

3. Before us the authorised representative of the assessee filed

following application and prayed for the withdrawal of the appeal:-

CHAMBER OF SALIL AGGARWAL, SENIOR ADVOCATE

R – 517, New Rajinder Nagar, New Delhi – 110060.

Email: salilagarwal_adv@yahoo.com, Phones: 28743006, 28745658, 28743784.

17th November 2022

Before,
The Income Tax Appellate Tribunal,
Delhi Bench 'C',
New Delhi.



In the matter of: M/s Jay Ace Technologies Ltd.

ITA Nos. 3994/Del/2018


AY: 2013-14

Hon'ble Sir(s),

That the captioned appeal is fixed for hearing on 17.11.2022.

It is respectfully submitted that the captioned appeal is with respect to order so passed by learned PCIT under section 263 of the Act, whereas, in assessment order passed in pursuance to the aforesaid order i.e. under section 143(3) read with section 263 of the Act, addition has been made by learned AO, for which appeal is pending before Hon'ble ITAT, Delhi. As such, the assessee intends to withdraw the captioned appeal ad pursue the appeal with regards to assessment made u/s 143(3) r.w.s. 263 of the Act. It is therefore, most respectfully prayed that the captioned matters may be permitted to be withdrawn by the assessee.

I shall be highly grateful for this kind accommodation.



(CA. Shailesh Gupta)
Counsel for Assessee

4. In the light of the above and finding that the DR had no objection, this appeal is dismissed as withdrawn.

5. Decision announced in the open court on 17.11.2022.

Sd/-
(KUL BHARAT)
JUDICIAL MEMBER

NEHA, Sr. Private Secretary

Date:- 17.11.2022

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

Sd/-
(N. K. BILLAIYA)
ACCOUNTANT MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI

Date of dictation	17.11.2022
Date on which the typed draft is placed before the dictating Member	17.11.2022
Date on which the typed draft is placed before the Other member	17.11.2022
Date on which the approved draft comes to the Sr.PS/PS	17.11.2022
Date on which the fair order is placed before the Dictating Member for Pronouncement	17.11.2022
Date on which the fair order comes back to the Sr. PS/ PS	17.11.2022
Date on which the final order is uploaded on the website of ITAT	17.11.2022
Date on which the file goes to the Bench Clerk	17.11.2022
Date on which file goes to the Head Clerk.	
The date on which file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	