

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI 'FRIDAY-D' Bench : NEW DELHI

BEFORE SHRI G.S. PANNU, HON'BLE PRESIDENT
AND
SHRI KUL BHARAT, HON'BLE JUDICIAL MEMBER

ITA NO. 8115/DEL/2018
(AY 2015-16)

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HOUSE, KG MARG,
NEW DELHI – 110 001
(PAN: AACCBBC5483H)
(APPELLANT)

VS. DICT, CIRCLE-1(1)2),
INTERNATIONAL TAXATION,
TOWER-D, 5TH FLOOR,
CIVIC CENTRE,
NEW DELHI – 110 002
(RESPONDENT)

Appellant by : None
Respondent by : Shri Sanjay Kumar, Sr. DR.

Date of hearing : 23.12.2022
Date of pronouncement : 23.12.2022

ORDER

PER KUL BHARAT : JM

This appeal by the Assessee for the assessment year 2015-16 is directed against the Order of the Learned Deputy Commissioner of Income Tax, Circle 1(1)(2), Intl. Taxation, New Delhi.

2. None appeared on behalf of the Assessee before us at the time of hearing. However, the Ld. Authorised Signatory of the Assessee Company vide his letter dated 13.12.2022 has submitted that the assessee had earlier invoked the provisions of Article 27 – Mutual Agreement Procedure (MAP) of the DTAA and filed an application in this regard with the Competent Authority of UK on 20th

March, 2019. It was further submitted in the aforesaid letter that Resolution under MAO has been arrived at with respect to the assessment of income of the assessee, as per the provision of Section 90 of the Act read with Article 27 of DTAA. To support this contention, a copy of communication of Resolution under MAP, dated 25th November, 2022 issued by the Foreign Tax & Tax Research Division-I(1), Central Board of Direct Taxes, New Delhi has been filed which is placed on record. In this backdrop, the assessee wishes to withdraw its appeal for AY 2015-16.

3. Ld. Sr. DR did not oppose the aforesaid prayer of the assessee's authorized signatory made vide letter dated 13.12.2022.

4. In view of the above factual matrix, we deem it proper to allow the request of the assessee's authorized signatory for withdrawal of the captioned appeal and the same is dismissed as withdrawn.

5. Resultantly, the captioned appeal is dismissed.

Order pronounced in the Open Court on 23rd December, 2022.

Sd/-

(G.S. PANNU)
PRESIDENT

Sd/-

(KUL BHARAT)
JUDICIAL MEMBER

Date: 23.12.2022

SR BHATNAGAR

Copy forwarded to: -

1. Appellant.
2. Respondent.
3. CIT
4. CIT(A)
5. DR, ITAT

Assistant Registrar