

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

**BEFORE SHRI G.S. PANNU, PRESIDENT AND SHRI
SAKTIJIT DEY, JUDICIAL MEMBER**

ITA No. 93/Del/2023
Assessment Year: 2016-17

Om Prakash, Plot No.5, Sector 17 & 18 Road, Gurgaon (Hr.) PIN: 122018	Vs.	ITO, Ward 3(2), Gurgaon.
PAN :ABCFA1687N		
(Appellant)		(Respondent)

Department by	N o n e
Assessee by	Shri Sanjay Kumar, Sr. DR

Date of hearing	03.02.2023
Date of pronouncement	03.02.2023

ORDER

PER SAKTIJIT DEY: JUDICIAL MEMBER:

Captioned appeal by the assessee arises out of order dated 15.11.2022 passed by National Faceless Appeal Centre (NFAC), Delhi pertaining to assessment year 2016-17.

2. We have heard Shri Sanjay Kumar, learned Departmental Representative and perused the material on record.
3. Vide letter dated 27.01.2023, the assessee has submitted that against the very same order of the first appellate authority, the assessee had preferred two appeals, one before the Chandigarh Bench and one in Delhi Benches. Since, the appellate jurisdiction lies with ITAT, Delhi Benches, the appeal filed before the Chandigarh Bench was transferred to Delhi Benches. Thus, the assessee has sought permission to withdraw the present appeal.
4. Learned Departmental Representative did not express any objection to the aforesaid request of the assessee.
5. In view of the aforesaid, we permit the assessee to withdraw the present appeal. Accordingly, appeal is dismissed as withdrawn.
6. In the result, the appeal is dismissed.

Order pronounced in the open court on 3rd February, 2023.

**Sd/-
(G.S. PANNU)
PRESIDENT**

**Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER**

Dated: 3rd February, 2023.
Mohan Lal

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi