

**IN THE INCOME TAX APPELLATE TRIBUNAL
COCHIN BENCH, COCHIN**

**Before Shri George George K., Judicial Member
and**

Ms. Padmavathy S., Accountant Member

ITA No. 38/Coch/2021 (Assessment Year: 2016-17)		
M/s. Synthite Industries P. Ltd. C/o. Elias George & Co., Cas EGC House, HIG Avenue Ghandi Nagar, Kochi 682020 PAN – AADCS5616E	vs	DCIT, Corporate circle 2(1) CR Building, IS Press Road Kochi 682011
(Appellant)		(Respondent)

Assessee by:	Shri Thomson Thomas, CA
Revenue by:	Smt. J.M. Jamuna Devi, Sr. DR

Date of hearing:	02.03.2023
Date of pronouncement:	02.03.2023

ORDER

Per: George George K., J.M.

This appeal at the instance of the assessee is directed against the order of the Principal Commissioner of Income Tax, Kochi-1, dated 08-03.2021 passed under Section 263 of the Income Tax Act, 1961 (the Act). The relevant assessment year is 2016-17.

2. During the course of hearing the learned A.R. moved an application for withdrawing the appeal stating that the Assessing Officer has already passed the order giving effect to the directions of the PCIT. The assessee had filed a writ petition before the Hon'ble High Court of Kerala against the order passed by the Assessing Officer. The Hon'ble High Court has, vide order dated 10th February, 2023 in WP(C) No. 12756 of 2022, set aside the order passed by the

Assessing Officer with direction to redo the assessment. In view of the above facts the assessee prayed for withdrawal of the appeal.

3. The learned D.R. did not raise any objection.
4. In view of the above facts and considering the prayer of the assessee we dismiss the appeal filed by the assessee as withdrawn.

Order pronounced in the open Court on 2nd March, 2023.

Sd/-
(Padmavathy S.)
Accountant Member

Sd/-
(George George K.)
Judicial Member

Cochin, Dated: 2nd March, 2023

Copy to:

1. *The Appellant*
2. *The Respondent*
3. *The CIT(A) -*
4. *The CIT - 1, Kochi*
5. *The DR, ITAT, Cochin*
6. *Guard File*

By Order

//True Copy//

Assistant Registrar
ITAT, Cochin

n.p.