

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

**BEFORE SH. N. K. BILLAIYA, ACCOUNTANT MEMBER
AND
SH. C.N. PRASAD, JUDICIAL MEMBER**

ITA No.1776/Del/2020
Assessment Year: 2016-17

Sh. Sudhir Kumar A-6, Hauz Khas, New Delhi-110016 PAN No.AAEP1991J (APPELLANT)	Vs	ACIT Circle -32 (1) New Delhi (RESPONDENT)
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Appellant by	Shri Sourbh Rastogi, Advocate
Respondent by	Sh. Jitender Kale, Sr. DR.

Date of hearing:	04/05/2023
Date of Pronouncement:	04/05/2023

ORDER

PER N. K. BILLAIYA, AM:

This appeal by the assessee is preferred against the order of the CIT(A)-11, New Delhi dated 29.07.2020 pertaining to A.Y.2016-17.

2. The solitary grievance of the assessee is that the CIT(A) erred in upholding the levy of penalty by the AO u/s. 271 (1)(c) of the Act.
3. Assessee moved the following application :-

Bench - G, Date - 04/05/2023

Dated: 28/02/2023

To,
The Office Superintendent,
Income Tax Appellate Tribunal,
Lok Nayak Bhawan,
Khan market,
New Delhi-110003

Sir/Madam,

Ref. :- ITA1776/DEL/2020 A.Y. 2016-17

Sub. :- Appeal Proceedings in the case of Sudhir Kumar PAN AAEP1991J A.Y. 2016-17

With reference to the aforesaid it is requested that the appeal filed by the assessee is being requested to be withdrawn as the penalty levied u/s 271(1)(c) is paid detailed as below:-

Date	Particulars	Amount	Remark
19/06/2019	Penalty Demand u/s 241(1)(c)	364,559	
	Less: Paid		
26/06/2019	Challan No. 30429	(1,000)	Paid through Bank.
29/06/2019	Challan No. 31279	(73,000)	Paid through Bank.
15/11/2021	Challan No. 28904	(50,904)	Refund Adjusted A.Y. 2020-21
11/03/2022	Challan No. 15441	(38,930)	Refund Adjusted A.Y. 2021-22
08/12/2022	Challan No. 03475	(200,725)	Paid through Bank with Interest of Rs. 92811
	Net Amount Payable	-	

Copies of the challans with Form-26AS are enclosed.

The assessee pleads for not contesting the appeal to by peace of mind.

Kindly do the needful under intimation to the assessee.

Thanking You

For Sudhir Kumar

Sudhir Kumar/Auth. Sign.

Encl.:

- 1) Copy of challans
- 2) Form-26AS
- 3) Copy of Notice

4. Considering the aforementioned application the appeal is dismissed as withdrawn.

5. Decision announced in the open court on 04.05.2023.

Sd/-
[C.N. PRASAD]
JUDICIAL MEMBER

Dated: .05.2023

Neha

Copy forwarded to:

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

Sd/-
[N.K. BILLAIYA]
ACCOUNTANT MEMBER

Asst. Registrar
ITAT, New Delhi