

आयकर अपीलीय अधिकरण, इंदौर न्यायपीठ, इंदौर
**IN THE INCOME TAX APPELLATE TRIBUNAL
INDORE BENCH, INDORE**

BEFORE SHRI VIJAY PAL RAO, JUDICIAL MEMBER
AND
SHRI B.M. BIYANI, ACCOUNTANT MEMBER

ITA No.58/Ind/2022
(Assessment Year:2012-13)

Shabbir Hussain Kanchwala 234, Bharat Oil Stores, Kamri Marg, Ujjain	Vs.	Pr. CIT Indore
(Appellant / Assessee)		(Respondent/ Revenue)
PAN: AFWPK 7757 D		
Assessee by	None	
Revenue by	Shri Ashish Porwal, Sr. DR	
Date of Hearing	30.05.2023	
Date of Pronouncement	30.05.2023	

O R D E R

Per Vijay Pal Rao, JM:

This appeal by the assessee is directed against the revision order dated 03.02.2022 of Pr. Commissioner of Income Tax (Appeals) (in short Ld. Pr. CIT, Indore passed u/s 263 of the Act for Assessment Year 2012-13.

2. None has appeared on behalf of the assessee however, an application for withdrawal of the appeal has been filed by the assessee which reads as under:

Before,
The Hon'ble Members
ITAT Indore Bench
INDORE

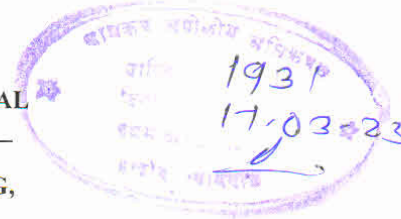
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ITAT APPEAL NO. - 58/IND/2022
DATE OF HEARING : 05/04/2023

May It Please Your Honours,

Re : REQUEST FOR WITHDRAWAL OF APPEAL

SHABBIR HUSSAIN KANCHWALA
234-BHARAT OIL STORES, KAMRI MARG,
UJJAIN 456006
PAN : AFWPK7757D
Assessment Year : 2012-13



With reference to the above, it is submitted for your honour's kind consideration as under :

01. That the present appeal is against order U/s. 263 dated 03.02.2022, passed by Ld. PCIT, Ujjain.
02. That vide above order U/s. 263, the reassessment order earlier passed U/s. 147 on 16.12.2019 by the ITO 1(1) Ujjain was set aside.
03. That in the meantime, the set aside assessment proceedings have been completed and the relevant assessment order U/s. 147 r.w.s. 263 has been passed on 02.03.2023 by the National Faceless Assessment Centre, New Delhi.
04. That in the above set aside assessment order, almost returned income has been accepted and an addition of only Rs. 8287/- has been made. The copy of the assessment order U/s. 147 r.w.s. 263 is attached herewith.
05. That since no material addition has been made in set aside assessment and returned income has almost been accepted, the grievance and appeal against order U/s. 263 have practically become irrelevant.
06. Thus, in view of the above facts, circumstances and evidences it is requested to please permit withdrawal of the present appeal against order U/s. 263 and oblige.

(Submitted By)

Shabbir Hussain
Shabbir Hussain Kanchwala
Appellant

3. Thus, the assessee is seeking permission to withdraw the present appeal as in the order passed by the AO in pursuant to order u/s 263 of the Act except a sum of Rs.8287/- no addition has made by the AO. Ld. DR has no objection if present appeal is allowed to be withdrawn and the same is dismissed. Accordingly, the assessee is allowed to withdraw the present appeal and consequent appeal of the assessee is dismissed being withdrawn.

4. In the result, appeal of assessee is dismissed as withdrawn.

The Order is pronounced in the open court after conclusion of the hearing on 30.05.2023 and the same is reduce in writing and signed on the date indicated below.

Sd/-

(B.M. BIYANI)
Accountant Member

Indore, 30.05.2023

Patel/Sr. PS

Copies to:

(1)	<i>The appellant</i>
(2)	<i>The respondent</i>
(3)	<i>CIT</i>
(4)	<i>CIT(A)</i>
(5)	<i>Departmental Representative</i>
(6)	<i>Guard File</i>

Sd/-

(VIJAY PAL RAO)
Judicial Member

By order

*Sr. Private Secretary
Income Tax Appellate Tribunal
Indore Bench, Indore*