

आयकर अपीलीय अधिकरण, हैदराबाद पीठ
IN THE INCOME TAX APPELLATE TRIBUNAL
Hyderabad 'A' Bench, Hyderabad

Before Shri R.K. Panda, Vice-President
AND
Shri Laliet Kumar, Judicial Member

ITA-TP No.80/Hyd/2022		
Assessment Year: 2017-18		
Pegasystems Worldwide India Pvt. Ltd, Hyderabad PAN:AAECP3453F (Appellant)	Vs.	Dy. C. I. T. Circle 16(2) Hyderabad (Respondent)
Assessee by:	Ms. Krithika, CA	
Revenue by:	Smt. K. Haritha, DR	
Date of hearing:	03/08/2023	
Date of pronouncement:	03/08/2023	

ORDER

Per R.K. Panda, Vice-President

This appeal filed by the assessee is directed against the order dated 31.1.2022 passed u/s 143(3) r.w.s. 144C(3) r.w.s. 144B of the I.T. Act by the learned CIT (A)-NFAC Delhi, relating to A.Y.2017-18.

2. The learned Counsel for the assessee at the outset filed an application seeking withdrawal of the appeal the contents of which are as under:

"This is with reference to the captioned appeal filed by Pega India before your Honours in respect of A.Y 2017-18. Copy of the appeal filed has been enclosed as Annexure 1.

In this regard, the Appellant would like to submit that the Appellant has entered into an Advanced Pricing Agreement ("the agreement" or "APA") with the Central Board of Direct Taxes ("CBDT") on 27 March 2023. The Agreement is applicable to

consecutive five years commencing from Previous Year 2015-16 to Previous Year 2019-20 (relevant to A.Y 2016-17 to 2020-21). A copy of the Agreement has been enclosed as Annexure 2 for your Honour's reference.

In the subject A.Y 2017-18, the learned Assessing Officer/Learned Transfer Pricing Officer proposed transfer pricing adjustments pertaining to Pega India's International transactions with its associated enterprise. We wish to submit that all these adjustments against which the subject appeal was preferred by Pega India will no longer sustain in view of the above-mentioned APA. Accordingly, the Appellant would like to withdraw the captioned appeal.

We request you to take the above as application to withdraw appeal for A.Y 2017-18 on record and kindly oblige”.

3. In absence of any objection from the side of the learned DR, the request of the assessee seeking permission to withdraw the appeal is accepted and the appeal is dismissed as withdrawn.

Order pronounced in the Open Court at the time of hearing itself i.e. on 3rd August, 2023.

Sd/- (LALIET KUMAR) JUDICIAL MEMBER	S/- (R.K. PANDA) VICE-PRESIDENT
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Hyderabad, dated 3rd August, 2023.

Vinodan/sps

Copy to:

S.No	Addresses
1	M/s. Pegasystems Worldwide India (P) Ltd., Building No.12A, 13 th Office Level, Mindspace, Cyberabad, Madhapur, Hyderabad 500081
2	Dy. CIT, Circle 16(2) Hyderabad
3	DR, ITAT Hyderabad Benches
4	Guard File

By Order