

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

**BEFORE SHRI G.S. PANNU, HON'BLE PRESIDENT
AND
SHRI SAKTIJIT DEY, HON'BLE VICE PRESIDENT**

ITA No.610/Del/2023
Assessment Year: 2021-22

BEENEXT1 Pte. Ltd., C/o- Flat No. 1709, HH Fortuna, Pillar No. 175, Upparpally, Rajendra Nagar, Hyderabad, Telangana	Vs.	DCIT, International Taxation, Circle -1(1)(2), New Delhi
PAN :AAGCB3156M		
(Appellant)		(Respondent)

Assessee by	Ms. Shruti Khimta, AR
Department by	Sh. Vizay B. Vasanta, CIT(DR)

Date of hearing	03.08.2023
Date of pronouncement	10.08.2023

ORDER

Captioned appeal of the assessee arises out of order dated 11.10.2022 of learned Commissioner of Income Tax (Appeals)-42, Delhi, pertaining to assessment year 2021-22.

2. The short issue arising for consideration in the present appeal is disallowance of carry forward of long term capital loss claimed in the return of income.

3. We have heard the parties and perused the materials on record. In the return of income filed for the assessment year under dispute, the assessee claimed long term capital loss of Rs.14,60,20,118/-. While processing the return of income under section 143(1) of the Income-tax Act, 1961, the Centralized Processing Centre (CPC) did not allow carry forward of loss. Against the intimation issued, the assessee filed an appeal before learned Commissioner (Appeals). While disposing off the appeal, learned Commissioner (Appeals) directed the assessee to file a fresh application under section 154 of the Act before the CPC for rectification of mistakes.

4. At the time of hearing, learned counsel appearing for the assessee filed a written submission, stating therein that while considering the fresh application filed by the assessee under section 154 of the Act, the CPC in order dated 23.06.2023, has rectified the mistake and allowed carry forward of long term capital loss as claimed in the return of income. Thus, it is submitted that the appeal has become infructuous as the assessee has got the desired relief.

4. In view of the aforesaid submission of assessee, it is observed that the dispute raised by the assessee in the present

appeal stands redressed by the order dated 23.06.2023 passed by CPC under section 154 of the Act. In nutshell, the present appeal has become infructuous, hence, dismissed.

5. In the result, the appeal is dismissed.

Order pronounced in the open court on 10th August, 2023

Sd/-
(G.S. PANNU)
PRESIDENT

Sd/-
(SAKTIJIT DEY)
VICE PRESIDENT

Dated: 10th August, 2023.

RK/-

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi