

**IN THE INCOME TAX APPELLATE TRIBUNAL, 'SMC '
BENCH MUMBAI**

**BEFORE: SHRI B.R.BASKARAN, ACCOUNTANT MEMBER
&
SHRI AMIT SHUKLA, JUDICIAL MEMBER**

**ITA No.2837/Mum/2023
(Assessment Year :2018-19)**

Shri Bharatkumar Lalchand Jain Flat No.302, Darshil Apartment, 22, Bramani Ali Bhiwandi - 421 302	Vs.	Commissioner of Income Tax (Appeals), National Faceless Appeal Centre(NFAC) New Delhi
PAN/GIR No.AEBPJ6817K		
(Appellant)	..	(Respondent)

Assessee by	None
Revenue by	Shri H.M. Bhatt
Date of Hearing	25/08/2023
Date of Pronouncement	25/08/2023

आदेश / O R D E R

PER AMIT SHUKLA (J.M):

The aforesaid appeal has been filed by the assessee against the order dated 01/08/2023 passed by National Faceless Appeal Centre (NFAC) Delhi by the quantum of assessment passed u/s. 143(3) for A.Y.2017-18.

2. Assessee vide its letter prayed for withdrawal of appeal in ITA No. 2837/Mum/2023 for A.Y.2017-18. For the sake of convenience, we are reproducing the contents of the said Application as under:-

“I, Bhaskar Lalchand Jain having PAN AEBPJ6817K, have uploaded Form no.36 Online on 11/08/2023. Having Acknowledgement Number 1691485032

While Uploading Form 36 I have wrongly enter Assessment Year 2018-19 instead of AY 2017-18 After That I have Fresh filed Form No 36 for Assessment Year 2017/ 18 on 17/08/2023 having Acknowledgement No 1692255518

Hereby I am request department to cancel my application Form 36 for AY 2018-19 having application no 1691485032 dated 11/08/2023 he above mentioned appeal as it was filed for wrong Assessment Year i.e. 2018-19. I am also enclosing Acknowledgement alongwith this letter i. Please do the needful.

Inconvenience caused to you is highly regretted.”

3. Ld. DR has not raised any objection.

4. We have heard the ld. DR and perused the records, especially the Application of assessee for withdrawal of the Appeal. We find considerable cogency in the contentions of Assessee as aforesaid. Keeping in view of the facts and circumstances of the case, we accept the request of the assessee for withdrawal of the Appeal and accordingly, we dismiss the Appeal as withdrawn.

5. In the result, the appeal of the Assessee is dismissed as withdrawn.

Order pronounced on 25th August, 2023.

Sd/-

(B R BASKARAN)

ACCOUNTANT MEMBER

Mumbai; Dated 25/08/2023
KARUNA, sr.ps

Sd/-

(AMIT SHUKLA)

JUDICIAL MEMBER

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent.
3. CIT
4. DR, ITAT, Mumbai
5. Guard file.

//True Copy//

BY ORDER,

(Asstt. Registrar)
ITAT, Mumbai