



॥आयकर अपीलीय न्यायाधिकरण, पुणे “ए” न्यायपीठ,पुणे में॥



IN THE INCOME TAX APPELLATE TRIBUNAL, PUNE ‘A’ BENCH, PUNE

BEFORE HON’BLE SHRI S.S.VISWANETHRA RAVI, JUDICIAL MEMBER

AND

SHRI G. D. PADMAHSHALI, ACCOUNTANT MEMBER

आयकर अपील सं. / ITA No. 1005/PUN/2023

निर्धारण वर्ष / Assessment Year : 2011-12

Dy. Commissioner of Income Tax,
Circle-1(1), Pune

..... अपीलार्थी / Appellant

बनाम / V/s.

CTR Manufacturing Industries Pvt Ltd.
Nagar Road, Vadgaon Sheri, SO Pune.
PAN : AAACC7256R.

..... प्रत्यर्थी / Respondent

द्वारा/ Appearances

Assessee by : Mr Rajendra Agiwal [‘Ld. AR’]

Revenue by : Mr Ramnath Murkude [‘Ld. DR’]

सुनवाई की तारीख / Date of conclusive Hearing : 15/02/2024

घोषणा की तारीख / Date of Pronouncement : 15/02/2024

आदेश / ORDER

PER G. D. PADMAHSHALI, AM;

This appeal is filed against the first appellate DIN & order No. ITBA/NFAC/S/250/2023-24/1054396844(1) dt. 17/07/2023 anent to assessment year 2011-12 [for short ‘AY’] by the National Faceless Appeal Centre [for short ‘NFAC’] passed u/s 250(6) of the Income-tax Act, 1961 [for short ‘the Act’] which in turn arisen out of order of penalty dt. 28/03/2018 imposed u/s 271(1)(c) of the Act by the Dy. Commissioner of Income Tax Circle-1(1), Pune [for short ‘AO’]

2. At the outset, the Ld. DR Mr Murkude referring to the Revenue’s letter of withdrawal dt. 07/02/2024, recited its contents and stated that, two appeals against the impugned order are filed online with an acknowledgement no. 1694698350 &



1694695463 which are registered as ITA No. 1006/PUN/2023 ITA No. 1005/PUN/2023. The present appeal is one of those two appeals which inadvertently got filed due to technical glitches and since two appeals against one impugned cannot lie, therefor it is pressed/prayed for withdrawal. Solidifying the facts the Ld. AR did contend that, this appeal at the choice of the Revenue is to be dismissed and other to be adjudicated.

3. Heard both the parties and subject to the provisions of rule 18 of ITAT Rules, 1963 perused the record and finding the factual position, we accept the application of withdrawal and dismiss the appeal.

4. The appeal of the Revenue stands DISMISSED as WITHDRAWN.

In terms of rule 34 of ITAT Rules, the order pronounced in the open court on this Thursday, 15th day of February, 2024.

-S/d-

S. S.VISWANETHRA RAVI
JUDICIAL MEMBER

-S/d-

G. D. PADMAHSHALI
ACCOUNTANT MEMBER

पुणे / PUNE ; दिनांक / Dated : 15th day of February, 2024.

आदेशकीप्रतिलिपिअग्रेषित / Copy of the Order forwarded to :

1.अपीलार्थी / The Appellant.

2. प्रत्यर्थी / The Respondent.

3. The Pr. CIT-Concerned

4.The AO Concerned.

5. The DR, ITAT, "A" Bench, Pune

6. गार्डफाइल / Guard File.

आदेशानुसार / By Order,

वरिष्ठ निजी सचिव / Sr. Private Secretary

आयकर अपीलीय न्यायाधिकरण, पुणे / ITAT, Pune.