

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE "SMC" BENCH : PUNE

BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER

I.T.A.No.1190/PUN./2023 [E-APPEAL]
Assessment Year 2014-2015

Shri Balaji Madhavrao Malwade, Tarang, 2 nd Floor, Plot No.33, Sector-10, Khanda Colony, New Panvel (West)-410 206. Maharashtra. PAN ACUPM4749A	vs.	The National Faceless Appeal Centre. Delhi
(Appellant)		(Respondent)

For Assessee :	Shri Kishor B Phadke
For Revenue :	Shri Basavaraj Hiremath

Date of Hearing :	07.03.2024
Date of Pronouncement :	07.03.2024

ORDER

PER SATBEER SINGH GODARA, J.M. :

This assessee's appeal for assessment year 2014-15, arises against the National Faceless Appeal Centre [in short the "NFAC"] Delhi's Din and Order No. ITBA/NFAC/S/250/2023-24/1055372984(1), dated 24.08.2023, involving proceedings u/s.147 r.w.s144 of the Income Tax Act, 1961 (in short "the Act").

Heard both the parties. Case file perused.

2. During the course of hearing, Mr. Phadke vide letter dated 06.03.2024, seeks permission of the tribunal for withdrawal of the appeal reading as under :

06/03/2024

From,
Balaji Madhavrao Malwade
Tarang 2nd Floor, Plot No 33,
Sector 10, Khanda Colony, New
Panvel (West) – 410206

To,
Asst. Registrar,
"SMC" Bench, ITAT,
Pune

Dear Sir,

Subject: Request to withdraw the appeal

Reference: ITA No. 1190/PUN/2023

Hearing for the above-referred appeal is scheduled on 07/03/2024. Appellant has filed original Form 36 on 13/11/2023.

In this regard, the appellant has received a defect memo with seven (7) errors. A copy of Defect memo is attached herewith and marked as **Annexure 1**. Accordingly, the appellant submitted a fresh form 36 on 24/11/2023 after removing the defects. Copy of Original Form 36 and fresh Form 36 is attached herewith and marked as **Annexure 2 & 3**.

Inadvertently fresh Form 36 was considered as a fresh appeal and the same was admitted as **(ITA No. 1249/PUN/2023)**. A copy of acknowledgement of filing of appeal in ITA No. 1249/PUN/2023 is attached herewith and marked as **Annexure 4**.

Considering the same, the appellant requests the Honorable Bench to kindly permit adjudication of one of the above appeals and oblige.

Inconvenience caused is deeply regretted.

Thanking You,

Yours Faithfully,

For Balaji Madhavrao Malwade,



CA Kishor Phadke
Authorized Representative

3. Learned DR has no objection.

4. I, therefore, dismiss the appeal of the assessee as withdrawn in above terms. Ordered accordingly.

Order pronounced in the open Court on 07.03.2024.

Sd/
[SATBEER SINGH GODARA]
JUDICIAL MEMBER

Pune, Dated 07th March, 2024

VBP/-

Copy to

1.	The appellant
2.	The respondent
3.	The Pr. CIT, Pune concerned
4.	D.R. ITAT, "SMC" Bench, Pune.
5.	Guard File.

//By Order//

//True Copy //

Sr. Private Secretary, ITAT, Pune Benches,
Pune.