

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE "A" BENCH : PUNE
[THROUGH VIRTUAL HEARING]
BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER
AND
SHRI INTURI RAMA RAO, ACCOUNTANT MEMBER

I.T.A.No.947/PUN./2023 [E-APPEAL]
[U/sec.80G(5) of the Income Tax Act, 1961]

Asmita Education and Healthcare Foundation, Asmita House, Naya Nagar, Mira Road East, THANE – 401 107 Maharashtra. PAN AAVCA3298G	vs.	The Commissioner of Income Tax (Exemption), Income Tax Office, 322, 3 rd Floor, PMT Bldg., Shankar Seth Road, Pune-444001. Maharashtra.
(Applicant/Appellant)		(Respondent)

For Assessee :	Shri Rahul Sarda
For Revenue :	Shri Keyur Patel

Date of Hearing :	07.05.2024
Date of Pronouncement :	08.05.2024

ORDER

PER SATBEER SINGH GODARA, J.M. :

This assessee's appeal, arises against the CIT-(Exemptions), Pune, Pune's Din and Notice No.ITBA/EXM/F/EXM45/2023-24/1054043505(1), dated 29.06.2023, in proceedings u/s.80G(5) of the Income Tax Act, 1961 (in short "the Act").

Heard both the parties. Case file perused.

2. It emerges at the outset that this tribunal's office noting dated 12.03.2024 had sought to ascertain the issue of territorial jurisdiction of ITAT bench(es) at Pune. Learned CIT-DR at this stage took us to the said noting wherein it is

evident that the learned coordinate bench at Mumbai has already dealt with the assessee's appeal dealing with the issue of sec.12AB registration and remanded the same back to the CIT(E). Faced with the situation, learned counsel sought to withdraw the assessee's instant appeal in light of the tribunal's Standing Order no.1/1987 dated 17.07.1987 notifying the territorial jurisdiction of various benches in tribunal; as the assessee is assessed at Thane, not within the jurisdiction of ITAT, Pune bench(es), with liberty to be instituted afresh before the appropriate bench at Mumbai. The Revenue is fair enough in not objecting the assessee's foregoing plea of withdrawal of appeal. Ordered accordingly.

3. This assessee's appeal is dismissed as withdrawn in above terms.

Order pronounced in the open Court on 08.05.2024.

Sd/-
[INTURI RAMA RAO]
ACCOUNTANT MEMBER
Pune, Dated 08th May, 2024

Sd/-
[SATBEER SINGH GODARA]
JUDICIAL MEMBER

VBP/-
Copy to

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

//By Order//

//True Copy //

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