

**IN THE INCOME TAX APPELLATE TRIBUNAL
LUCKNOW BENCH 'A', LUCKNOW**

**BEFORE SHRI SUDHANSHU SRIVASTAVA, JUDICIAL MEMBER AND
SHRI ANADEE NATH MISSHRA, ACCOUNTANT MEMBER**

ITA No. 308/Lkw/2023
Assessment Year 2012-13

Bhagwan Das, C/o Sanjay Saxena, 12, Pratap Enclave Colony, Bisrat G.T.Road, Shahjahanpur Uttar Pradesh PAN: AAVPD 7007M	Vs.	ITO-3(2), Hardoi
(Appellant)		(Respondent)

Appellant by	Application for withdrawal of appeal
Respondent by	Shri Sanjeev Krishna Sharma, CIT(DR)
Date of hearing	01/05/2024
Date of pronouncement	11/06/2024

ORDER

PER SUDHANSHU SRIVASTAVA, J.M.

This appeal has been preferred by the assessee against order dated 08.08.2023 passed by the National Faceless Appeal Centre, (NFAC), Delhi for Assessment Year 2012-13.

2. The Id. Counsel for the assessee sought the permission of the Bench to withdraw the appeal by moving an application dated 29.04.2024, stating as under:

"Ref: ITA No. 308/LKW/2023 for A.Y. 2012-13

Hon'ble Member,

The above mentioned appeal is fixed for hearing on 01.05.2024 before your honour.

The above appeal had been filed against the penalty order passed u/s 271F dated 21-06-2021 by ITO, Assessment Unit, NFAC and said penalty has been confirmed by the CIT(A).

The appellant aggrieved by the levy penalty of Rs. 5,000/- u/s 271F of the Income Tax Act, 1961 and had filed appeal before your honour.

As per announcement in Finance Bill 2024, the CBDT has extinguished the demand of Rs. 5,000/- of penalty u/s271F of the Income Tax Act, 1961 and accordingly the demand had been cancelled by the department and the appellant wants to withdraw the above appeal.

It is, therefore, requested that the appeal may kindly be treated as withdrawn & oblige."

3. Learned D.R. has no objection.
4. Accordingly, we permit the assessee to withdraw the present appeal.
5. In the result, the appeal of the assessee is dismissed as withdrawn.

(Order pronounced in the open court on 11/06/2024)

Sd/-
(ANADEE NATH MISSHRA)
Accountant Member

Sd/-
(SUDHANSHU SRIVASTAVA)
Judicial Member

Dated: 11/06/2024
Aks

Copy of the order forwarded to :

1. The Appellant
2. The Respondent.
3. Concerned Pr. CIT/CIT
4. The CIT(A)
5. D.R., I.T.A.T., Lucknow

By Order

Asstt. Registrar