

**IN THE INCOME TAX APPELLATE TRIBUNAL  
MUMBAI BENCH "D", MUMBAI**

**BEFORE SHRI OM PRAKASH KANT, ACCOUNTANT MEMBER  
AND  
MS. KAVITHA RAJAGOPAL, JUDICIAL MEMBER**

ITA No. 3735/Mum/2024  
Assessment Year 2021-22

Marine Electricals (India) Limited, B-2, Udyag Sadan No.2, MIDC, Andheri (E), Mumbai PAN : AAFCM3153Q	vs.	DCIT-9(2)(2)(1), Aayakar Bhavan, Maharshi Karve Road, Churchgate, Mumbai
(Appellant)		(Respondent)

For Assessee :	NONE
For Revenue :	Smt. Mahita Nair, Sr.DR

Date of Hearing :	11-09-2024
Date of Pronouncement :	12-09-2024

**ORDER**

**PER OM PRAKASH KANT, A.M :**

This appeal has been preferred by the assessee directed against the order dated 29-05-2024 passed by the Ld.Addl./JCIT(A), Bhubaneswar, [in short Ld.CIT(A)] for the Assessment Year (AY.) 2021-22, raising following grounds:

*"1. On the facts and in the circumstances of the case and in law, the learned A.O. erred in determining the income at Rs. 10,16,11,630/- as against the returned income of Rs. 9,71,51,120/-.*

*2. On the facts and in the circumstances of the case and in law, the learned A.O. erred in disallowing the payments of PF & ESIC employee contributions of Rs. 44,60,510/-.*

3. *The Appellant states that the belated deposit of employees contribution of PF/ESIC governed u/s 36(1)(va) of the Income Tax Act 1961 is also simultaneously amenable to deduction u/s 37(1) of the Act as the same was paid within the relevant financial year.”*

2. At the time hearing before us, a letter seeking withdrawal of the appeal has been filed on behalf of the assessee. In the said letter, it is submitted that the assessee has already got relief by way of rectification u/s. 154 of the Income Tax Act, 1961 ('the Act') against the impugned intimation passed u/s 143(1) of the Act, therefore, the assessee wanted to withdraw the impugned appeal. Accordingly, the appeal of the assessee is dismissed as withdrawn.

3. In the result, the appeal of the assessee is dismissed.

Order pronounced in the open court on 12<sup>th</sup> September, 2024

Sd/-  
(MS. KAVITHA RAJAGOPAL)  
JUDICIAL MEMBER

Sd/-  
(OM PRAKASH KANT)  
ACCOUNTANT MEMBER

Mumbai,

Date : 12-09-2024

TNMM

Copy to :

- 1) The Appellant
- 2) The Respondent
- 3) The CIT concerned
- 4) The D.R, "D" Bench, Mumbai
- 5) Guard file

By Order

Dy./Asst. Registrar  
I.T.A.T, Mumbai