



**IN THE INCOME TAX APPELLATE TRIBUNAL
LUCKNOW BENCH "B", LUCKNOW**

**BEFORE SHRI. SUDHANSHU SRIVASTAVA, JUDICIAL MEMBER
AND SHRI NIKHIL CHOUDHARY, ACCOUNTANT MEMBER**

ITA No.151/LKW/2023
Assessment Year: N.A.

IIT Kanpur Development Foundation IIT Kanpur Kalyanpur IIT S.O., Kanpur TAN/PAN:AAF7602E (Appellant)	v.	The CIT (Exemption) Lucknow (Respondent)
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Appellant by:	Application for withdrawal		
Respondent by:	Shri S. H. Usmani, CIT(DR)		
Date of hearing:	08	08	2024
Date of pronouncement:	30	09	2024

ORDER

PER SUDHANSHU SRIVASTAVA, J.M.:

This appeal has been preferred by the assessee against order dated 30.03.2023 passed by the Commissioner of Income Tax (Exemption) in Form No.10AD, rejecting the application of the assessee for registration under section 12AB of the Income Tax Act, 1961.

2. The assessee sought the permission of the Bench to withdraw the appeal by moving an application dated 29.07.2024, stating as under:

“29.07.2024

From: IIT KANPUR DEVELOPMENT FOUNDATION, IIT KANPUR, KALYANPUR, KANPUR.

TO: THE HON'BLE INCOME TAX APPELLATE TRIBUNAL, BENCH 'B' LUCKNOW.

Sub: APPLICATION FOR GRANT OF PERMISSION OF WITHDRAWING APPEAL IN THE MATTER IIT KANPUR DEVELOPMENT FOUNDATION

Appeal No. ITA 151/LKW/2023 PAN AAFCI7602E

Respected Sir,

Most respectfully the Appellant beg to submit as under:

The Appellant is a Section 8 Company, and had applied for grant of Permanent registration u/s 12AB of Income Tax Act before the learned CIT (Exemption) Lucknow and the learned CIR (Exemption) Lucknow had passed an order rejecting grant of registration u/s 12AB of Income Tax Act vide his Order on Form 10AD dated 31.03.2023. Against the above order the Appellant has preferred an Appeal before Your honour bearing Appeal No. Appeal No. ITA 151/LKW/2023, which is fixed for hearing on 31 July 2024.

In this connection the Appellant beg to submit that that Appellant had filed another Application before the learned CIT (Exemption) Lucknow on Form 10AB for grant of registration u/s 12AB of the Income Tax Act and the learned CIT (Exemption) Lucknow has very kindly granted the registration u/s 12AB of the Income Tax Act vide his Order on Form 10AD dated 28.05.2024 bearing DIN ITBA/EXM/F/EXM44/2024-25/1065181881(1). The copy of above Order is being attached herewith for your information and record. In view of this fact that the relief claimed in the Appeal before your honour has already been allowed by the learned CIT (Exemption), the Appellant does not want to press the grounds of Appeal further and therefore request your honour to kindly grant the permission to withdraw the above Appeal.

In the light of above stated facts and in the circumstances it is prayed to your honour to kindly grant your permission for withdrawal of above Appeal and oblige.

For IIT KANPUR DEVELOPMENT FOUNDATION

Sd/-

(DIRECTOR)

APPELLANT

Enclosure: Copy of Order on Form 10AD dated 24.05.2024 of CIT (Exemption) Lucknow granting registration u/s 12AB of Income Tax Act.”

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 30/09/2024.

Sd/-
[NIKHIL CHOUDHARY]
ACCOUNTANT MEMBER

Sd/-
[SUDHANSHU SRIVASTAVA]
JUDICIAL MEMBER

DATED:30/09/2024

JJ:

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT(A)
4. CIT
5. DR

By order

Assistant Registrar