

**IN THE INCOME TAX APPELLATE TRIBUNAL “SMC” BENCH, MUMBAI**  
**BEFORE MS. KAVITHA RAJAGOPAL, JM AND SMT. RENU JAUHRI, AM**

ITA No. 4545/Mum/2024

ITA No. 3580/Mum/2024

ITA No. 3581/Mum/2024

(Assessment Year: 2022-23)

IEI Shareholding (Recreational Facilities-1992) Trust Ion House, Dr. E. Moses Road, Mahalaxmi, Mumbai-400 011	Vs.	ITO Ward 22(2)(1) Piramal Chambers, Lalbaug, Mumbai
PAN/GIR No.AAATI 0098 J		
<b>(Appellant)</b>	:	<b>(Respondent)</b>

<b>Assessee by</b>	:	Shri Balaji Chettiar
<b>Revenue by</b>	:	Shri Avinash Karpe

<b>Date of Hearing</b>	:	24.10.2024
<b>Date of Pronouncement</b>	:	25.10.2024

**ORDER**

**Per Kavitha Rajagopal, J M:**

These appeals have been filed by the assessee, challenging the order of the learned Commissioner of Income Tax (Appeals) ('Id.CIT(A) for short), National Faceless Appeal Centre ('NFAC' for short) u/s.250 of the Income Tax Act, 1961 ('the Act'), pertaining to the Assessment Year ('A.Y.' for short) 2022-23.

2. The assessee vide letter dated 24.10.2024 had stated that these appeals have been filed by the Employee Benefit Trust of M/s. Ion Exchange India Ltd., pertaining to the issue of the rate of tax applicable on income earned by the Trust. The Centralized Processing Centre (CPC), vide its order (intimation u/s. 143(1) of the Act) dated 26.10.2022 has taxed the income of the trust at Maximum Marginal Rate, while the assessee Trust contends that the same should be taxed at slab rates.

3. In an appeal filed before the first appellate authority, the ld. CIT(A) had dismissed the appeal of the assessee on the ground that the appeal was time barred.

4. The assessee Trust filed an application u/s. 154 of the Act on 06.08.2024, for rectification of the intimation passed u/s. 143(1) of the Act which was the subject matter of appeal before us.

5. The assessee submits that the rectification application was passed giving relief to the assessee vide order dated 18.09.2024 and, therefore, prayed that the present appeals may be withdrawn for the reason that the assessee has already got its relief before the ld. A.O.

6. The learned Departmental Representative (ld. DR for short) had nothing to controvert upon the same.

7. On perusal of the assessee's submission, we hereby deem it fit to dismiss the said appeals as withdrawn.

7. In the result, the appeals filed by the assessee are dismissed.

*Order pronounced in the open court on 25.10.2024.*

Sd/-

(Renu Jauhri)  
Accountant Member

Mumbai; Dated : 25.10.2024  
Roshani, Sr. PS

Sd/-

(Kavitha Rajagopal)  
Judicial Member

**Copy of the Order forwarded to :**

1. The Appellant
2. The Respondent
3. CIT- concerned
4. DR, ITAT, Mumbai
5. Guard File

BY ORDER,

(Dy./Asstt. Registrar)  
ITAT, Mumbai