

आयकर अपीलीय अधिकरण न्यायपीठ रायपुर में।
IN THE INCOME TAX APPELLATE TRIBUNAL,
RAIPUR BENCH, RAIPUR

BEFORE SHRI RAVISH SOOD, JUDICIAL MEMBER
AND
SHRI ARUN KHODPIA, ACCOUNTANT MEMBER

आयकर अपील सं. / ITA No.536/RPR/2024
निर्धारण वर्ष / Assessment Year : 2017-18

Madhu Anil Mark
Block No.D7, Flat No.19,
Chauhan Green Vally, Moti Lal Nehru Nagar,
Durg (C.G)-490 020
PAN : AIPPM0087J

.....अपीलार्थी / Appellant

बनाम / V/s.

The Assistant Commissioner of Income Tax,
Circle-1, Bhilai (C.G.)

.....प्रत्यर्थी / Respondent

Assessee by : Shri A.K Pansari, Advocate
Revenue by : Smt. Tarannum Verma, Sr. DR

सुनवाई की तारीख / Date of Hearing : 21.01.2025
घोषणा की तारीख / Date of Pronouncement : 23.01.2025

आदेश / ORDER**PER RAVISH SOOD, JM:**

The present appeal filed by the assessee is directed against the order passed by the ADDL/JCIT(A), Lucknow, dated 22.08.2024, which in turn arises from the order passed by the A.O under Sec.144 of the Income-tax Act, 1961 (in short 'the Act') dated 17.12.2019 for the assessment year 2017-18.

2. Shri A.K Pansari, Ld. Authorized Representative (for short 'AR') for the assessee, at the threshold, submitted that inadvertently as the present appeal had been disposed off by the ADDL/JCIT(A), Lucknow, therefore, the impugned order was assailed by the assessee by preferring an appeal before the ITAT, Lucknow. The Ld. AR has filed a letter dated 26.12.2024, wherein referring to the aforesaid facts he has sought liberty to withdraw the captioned appeal. For the sake of clarity, the aforesaid letter dated 26.12.2024 is culled out as under: (relevant extract)

Sir/Mam,

With due respect we are requesting you as under-

1. That, there was an ex parte assessment order was passed against assessee and the Income Tax Department ordered to pay Rs.3088990/-,
2. That, against which we filed an appeal before Hon'ble Income Tax Appellate Authority, Raipur on dtd- 20/12/2024 (Form No.36) and received Acknowledgement No.- 1800005799,
3. That, due to some technical error from our side our application moved to Hon'ble Income Tax Appellate Authority, Lucknow (U.P),
4. That , immediately we come to know that we have filed appeal in different jurisdiction,
5. That, on same day again we filed appeal in Hon'ble Income Tax Appellate Authority, Raipur (C.G) and Hon'ble Income Tax Appellate Authority, Raipur given another acknowledgement No. 1800005800, (Form No.36),
6. That, since there is two appeal in filed by us on the same matter, therefore, we would like to withdraw the appeal filed in Hon'ble Income Tax Appellate Authority, Lucknow (U.P) and want to continue with the appeal filed in Hon'ble Income Tax Appellate Authority, Raipur (C.G),
7. That, we would like to apologize for the technical error and caused inconvenience.

So we are requesting you to continue with the appeal filed in Hon'ble Income Tax Appellate Authority, Raipur (C.G) Acknowledgement No. 1800005800 and allow us to withdraw our appeal having Acknowledgement No. 1800005799. We are sending hard copy through registered post.

3. Per contra, Smt. Tarannum Verma, Ld. Sr. Departmental Representative (for short 'DR') did not raise any objection to the seeking of withdrawal of the captioned appeal by the assessee appellant.

4. Considering the aforesaid facts, we herein permit the assessee appellant to withdraw the captioned appeal. Thus, the appeal filed by the assessee is dismissed as withdrawn.

5. In the result, appeal filed by the assessee is dismissed as withdrawn.

Order pronounced in open court on 23rd day of January, 2025.

Sd/-
ARUN KHODPIA
(ACCOUNTANT MEMBER)

Sd/-
RAVISH SOOD
(JUDICIAL MEMBER)

रायपुर/ RAIPUR ; दिनांक / Dated : 23rd January, 2025.
***SB, Sr. PS.

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The Pr. CIT, Raipur-1 (C.G)
4. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, रायपुर बेंच,
रायपुर / DR, ITAT, Raipur Bench, Raipur.
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

Senior Private Secretary
आयकर अपीलीय अधिकरण, रायपुर / ITAT, Raipur.