

**INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "B": NEW DELHI
BEFORE SHRI M. BALAGANESH, ACCOUNTANT MEMBER
AND
SHRI YOGESH KUMAR U.S., JUDICIAL MEMBER**

ITA No. 302/Del/2025
(Assessment Year: 2020-21)

Shri Vaishya Aggarwal Shiksha Samiti, Moti Bazar, Near Jain Mandir, Palwal	Vs.	Assessment Units, Income Tax Department
(Appellant)		(Respondent)
PAN: AAMAS0620B		

Assessee by :	Shri Rohit Nagar, CA
Revenue by:	Ms. Pooja Swaroop, CIT (DR)
Date of Hearing	13/05/2025
Date of pronouncement	13/05/2025

ORDER

PER M. BALAGANESH, A. M.:

1. The appeal in ITA No. 302/Del/2025 for AY 2020-21, arises out of the order of order of the Assessment Unit, Income Tax Department dated 16.01.2023.
2. At the outset the Ld. AR requested for withdrawal of the appeal preferred by it and took our attention to letter dated 12.05.2025 of the Ld. AR requesting that this appeal may be allowed to be withdrawn for the reason that assessee has inadvertently filed before the Tribunal instead of Id. Commissioner of Income Tax (Appeals). Therefore, the assessee wishes to withdraw appeal No. 302/Del/2025. The application for withdrawal of appeal is as under:-

*"BEFORE THE INCOME TAX APPELLATE TRIBUNAL
(DBC, Hearing Bench B, Delhi)*

*Appeal No.: ITA 302/DEL/2025
Assessment Year: 2020-21*

In the matter of:

SHRI VAISHYA AGGARWAL SHIKSHA SAMITI PAN: AAMAS0620B Moti Bazar, Near Jain Mandir, Palwal 121102, Haryana

Appellant

*Vs.
Income Tax Department Delhi*

...Respondent

APPLICATION FOR WITHDRAWAL OF APPEAL

*The Hon'ble Members,
Income Tax Appellate Tribunal,
Bench Delhi*

Most Respectfully Submitted:

- 1. That the above-captioned appeal was filed by the appellant before this Hon'ble Tribunal against the order dated 13-01-2025 passed by the Assessing Officer.*
- 2. That upon reviewing the facts and the legal position, we have advised the appellant that the present appeal has been inadvertently filed before the Hon'ble ITAT instead of the Commissioner of Income Tax (Appeals), which is the appropriate forum under the provisions of the Income Tax Act, 1961.*
- 3. That In view of the above, we have advised the appellant to withdraw this appeal and file it before the appropriate appellate authority.*
- 4. That accordingly, we hereby request this Hon'ble Tribunal to permit the withdrawal of the above appeal.*
- 5. That this request is being made in good faith and without prejudice to the appellant's rights to avail appropriate remedies in accordance with law.*

PRAYER

In view of the foregoing, it is most respectfully prayed that this Hon'ble Tribunal may kindly permit the appellant to withdraw the above appeal.

Any other relief deemed just and proper in the circumstances of the case may also be granted.

*For and on behalf of
Shri Vaishya Aggarwal Shiksha Samiti*

*Place: Delhi
Date: 12.05.2025*

Through Authorized Representatives:

*CA Rohil Nagal,
Chartered Accountant*

*CA Sahil Mehta
Chartered Accountant"*

3. The Ld. DR does not have any objection for the said request of the Id AR.
4. We have gone through the request submitted by the Ld. AR and since the DR does not have any objection, the appeal is allowed to be withdrawn.
5. In the result the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 13/05/2025.

-Sd/-
**(YOGESH KUMAR U.S.)
JUDICIAL MEMBER**

-Sd/-
**(M. BALAGANESH)
ACCOUNTANT MEMBER**

Dated:13/05/2025

A K Keot
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1. Applicant
2. Respondent
3. CIT
4. CIT (A)
5. DR:ITAT

ASSISTANT REGISTRAR
ITAT, New Delhi