

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI “A” BENCH: NEW DELHI**

**BEFORE SHRI ANUBHAV SHARMA, JUDICIAL MEMBER &
SHRI MANISH AGARWAL, ACCOUNTANT MEMBER**

**ITA No.6472/Del/2025
[Assessment Year : 2017-18]**

M/s. Decent Securities (P) Ltd. KD-195, Pitampura, New Delhi-110034. PAN-AAACD4440N	vs	ACIT Circle-7(1) Delhi
APPELLANT		RESPONDENT
Appellant by	Shri Ankit Kumar, Adv.	
Respondent by	Shri Jitender Singh, CIT DR	
Date of Hearing	10.02.2026	
Date of Pronouncement	10.02.2026	

ORDER

PER MANISH AGARWAL, AM :

The present appeal is filed by assessee against the order dated 31.07.2025 by Ld. Commissioner of Income Tax (A), National Faceless Appeal Centre (“NFAC”), Delhi [“Ld.CIT(A)”] in Appeal No.CIT(A), Delhi-3/10397/2019-20 passed u/s 250 of the Income Tax Act, 1961 [“the Act”] arising out of assessment order dated 31.12.2019 passed u/s 143(3) of the Act pertaining to Assessment Year 2017-18.

2. Ld. Counsel for the assessee prayed that the above-captioned appeal may be permitted to be withdrawn. A letter dated 10.02.2026

is also placed on record. For the sake of convenience, the relevant contents of the letter are reproduced as under:-

1. *“The hearing in the captioned appeal filed by the assessee is fixed for hearing today i.e. 10.2.2026.*
2. *It is submitted that appellant seeks to liberty to withdraw the present appeal arising out of order dated 31.7.2025 passed by the learned Commissioner of Income Tax (Appeals) by holding that appeal filed by the assessee against an order of assessment dated 31.12.2019 u/s 143(3) of the Act as infructuous and inadvertent in light of the order dated 11.3.2022 u/s 263 of the Act followed by an order of assessment dated 30.3.2023 u/s 143(3)/263 of the Act. In view of the decision of Hon'ble Tribunal in ITA No. 4799/D/2025 dated 31.12.2025 allowing the appeal of the appellant arising from the order dated 18.3.2025 u/s 263 of the Act. The Hon'ble Tribunal has held as under:*

"12. The Id CIT(A) in the first round of proceedings had also understood that the Id PCIT in the first revision order u/s 263 of the Act had indeed directed the Id AO to pass fresh assessment order. Hence, the Id AO looking into the additional evidences which are available on record in respect of 15 loan creditors cannot be treated as not complying with the direction of the Id PCIT. In fact the wording couched by the Id PCIT in the first revision order, understanding by Id CIT(A) in first round of proceedings and understanding by the Id AO in the second round of proceedings are on the same lines that the Id AO was directed to frame fresh assessment. At the time of framing of fresh assessment, the additional evidences that were placed by the assessee before the Id CIT(A) in the first round of proceedings were also available on record. We find that the Id AO in the giving effect proceedings to Section 263 was in possession of additional evidences filed by the assessee before the Id CIT(A) as mentioned in para 4 supra to prove the 3 ingredients of Section 68 in respect of 15 loan creditors. These documents are very much available on record before the Id AO while passing the giving effect order. The Id AO in the giving effect proceedings had understood that he has to frame a fresh assessment order pursuant to the directions of the Id PCIT to frame the assessment afresh. Accordingly, the Id AO on verification of the additional evidences that are already

on record, was convinced in respect of 15 loan parties and hence, chose not to make any addition u/s 68 of the Act. Hence, the Id AO, on appreciation of factual evidences available on record had taken a plausible view on the matter of examination of 15 loan creditors. Once a plausible view has been taken by the Id AO, the same cannot be subjected to revision u/s 263 of the Act."

A copy of the order of Hon'ble ITAT is enclosed.

3. *The appellant company shall be highly grateful for kind consideration of the prayer made herein-in-above."*

3. Ld. CIT DR for the Revenue raised no objection in this regard.

4. We have heard the contentions of the Ld. Authorized representatives of both parties and perused the material available on record. In view of the prayer made by Ld. Authorized representative of the assessee vide letter dated 10.02.2026, **ITA No.6472/Del/2025 [Assessment Year 2017-18]** in the case of M/s. M/s. Decent Securities (P.) Ltd. is permitted to be withdrawn. Hence, appeal of the assessee is dismissed as withdrawn.

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

Order pronounced in the open Court on 10.02.2026.

Sd/-

**(ANUBHAV SHARMA)
JUDICIAL MEMBER**

Date:- 11.02.2026

Amit Kumar, Sr.P.S

Sd/-

**(MANISH AGARWAL)
ACCOUNTANT MEMBER**

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT
6. Guard File

ASSISTANT REGISTRAR
ITAT, NEW DELHI