

**IN THE INCOME TAX APPELLATE TRIBUNAL  
BANGALORE BENCHES : "C", BANGALORE**

**BEFORE SHRI N.V.VASUDEVAN, VICE PRESIDENT  
AND**

**SHRI B.R.BASKARAN, ACCOUNTANT MEMBER**

**ITA No.2584(Bang)/2019  
(Assessment Year : 2014-15)**

M/s Four Seasons Wines Limited.,  
No.24, UB City, UB Towers, Vittal Mallya Road,  
Bangalore-560 001  
PANNo.AABCF1204D

Appellant

**Vs**

The Asst. Commissioner of Income Tax,  
Circle-3(1)(1),  
Bangalore

Respondent

**Appellant by : None  
Revenue by : Smt. R.Premi, JCIT**

**Date of hearing : 01-06-2020  
Date of pronouncement : 01-06-2020**

**ORDER**

**PER B.R.BASKARAN, ACCOUNTANT MEMBER :**

The assessee has filed this appeal challenging the order dated 04-12-2018 passed by Ld CIT(A)-3, Bengaluru and it relates to the assessment year 2014-15. The assessee is aggrieved by the decision of Ld CIT(A) in confirming the penalty of Rs.25.00 lakhs levied by the assessing officer u/s 271(1)(c) of the Act.

2. There is a delay of 313 days in preferring this appeal before the Tribunal. The appellant has filed an affidavit stating the reasons for the delay for filing appeal before the Tribunal. Having regard to the submissions

made in the petition of the assessee, we are of the view that there was reasonable cause for the assessee for filing the appeal belatedly. Accordingly, we condone the delay and admit the appeal for hearing.

3. None appeared on behalf of the assessee. However, Ld A.R of the assessee has furnished a letter dated 29<sup>th</sup> April, 2020 and in that letter, inter alia, it is stated as under:-

“Appellant filed appeal on 20-12-2019 against the order u/s 271(1)(c). However, subsequently opted for the scheme **Vivad Se Vishwas Scheme 2020** and filed **FORM VSV1** vide Transaction **ID 8512734970** dt 29-04-2010. Request you to take the same on record and conclude the hearing.

Enclosed herewith the FORM VSV1 and acknowledgement for your records. Request to pass the order accordingly.”

4. We heard Ld D.R, who submitted that the assessee has to withdraw the pending appeal after filing Form VSV1 as per Vivad Se Vishwas Scheme 2020. Thereafter, the assessee is required to furnish a copy of the same along with the proof of payment of tax as determined by the tax official to the department. Accordingly she submitted that the assessee may be permitted to withdraw the appeal.

5. Since the assessee has opted for Vivad Se Vishwas Scheme, 2020, the appellant intends to withdraw the present appeal filed before the Tribunal. Accordingly we allow the assessee to withdraw the present appeal.

6. In the result, the appeal of the assessee is dismissed as withdrawn.

Pronounced in the open Court on 01-06-2020

Sd/-  
**(N.V.VASUDEVAN)**  
**VICE PRESIDENT**  
Dated: 01-06-2020  
**\*am**

Sd/-  
**(B.R.BASKARAN)**  
**ACCOUNTANT MEMBER**

Copy of the Order forwarded to:

- 1.Appellant;
- 2.Respondent;
- 3.CIT;
- 4.CIT(A);
5. DR
- 6.Guard File

By Order  
Asst. Registrar