

**IN THE INCOME TAX APPELLATE TRIBUNAL GUWAHATI BENCH, “E
COURT” AT KOLKATA**

(समक्ष) श्री ऐ. टी. वर्की, न्यायीक सदस्य एवं डॉ. अर्जुन लाल सैनी, लेखा सदस्य)

[Before Shri A. T. Varkey, JM & Dr. A. L. Saini, AM]

I.T.A. No. 337/Gau/2018
Assessment Year: 2015-16

Dinesh Kumar Mukund Kumar,
Tinsukia. (PAN: AAFHD0818J)
Appellant

Vs. Income-tax Officer, Ward-1, Tinsukia
Respondent

&

I.T.A. No. 338/Gau/2018
Assessment Year: 2015-16

Ashok Kumar Agarwal(HUF), Tinsukia
(PAN: AABHA9475L)
Appellant

Vs. Income-tax Officer, Ward-3, Tinsukia
Respondent

&

I.T.A. Nos. 339/Gau/2018
Assessment Year: 2015-16

Ramesh Agarwal, Tinsukia
(PAN: ABTPA8216G)
Appellant

Vs. Income-tax Officer, Ward-2, Tinsukia
Respondent

&

I.T.A. Nos. 340/Gau/2018
Assessment Year: 2015-16

Ramesh Kumar Rohan Kumar, Tinsukia
(PAN: AAEHR1467G))
Appellant

Vs. Income-tax Officer, Ward-2, Tinsukia
Respondent

&

I.T.A. Nos. 341/Gau/2018
Assessment Year: 2015-16

Sudha Birmiwal, Tinsukia
(PAN: AEFPB4181A)
Appellant

Vs. Income-tax Officer, Ward-3, Tinsukia
Respondent

&

I.T.A. Nos. 342/Gau/2018
Assessment Year: 2015-16

Dinesh Agarwal, Tinsukia
(PAN: ABTPA8218J)
Appellant

Vs. Income-tax Officer, Ward-1, Tinsukia
Respondent

&
I.T.A. Nos. 343/Gau/2018
Assessment Year: 2015-16

Shweta Agarwal, Tinsukia
(PAN: ACWPA5523A)
Appellant

Vs. Income-tax Officer, Ward-3, Tinsukia
Respondent

&
I.T.A. Nos. 344/Gau/2018
Assessment Year: 2015-16

Babita Agarwal, Tinsukia
(PAN: ADEPA6614M)
Appellant

Vs. Income-tax Officer, Ward-2, Tinsukia
Respondent

&
I.T.A. Nos. 345/Gau/2018
Assessment Year: 2015-16

Ramjilal Dipak Kumar (HUF), Tinsukia
(PAN: AAHHR6005B)
Appellant

Vs. Income-tax Officer, Ward-2, Tinsukia
Respondent

&
I.T.A. Nos. 346/Gau/2018
Assessment Year: 2015-16

Deeta Devi Agarwal, Tinsukia
(PAN: ABTPA8219K)
Appellant

Vs. Income-tax Officer, Ward-1, Tinsukia
Respondent

&
I.T.A. Nos. 347/Gau/2018
Assessment Year: 2015-16

Dipak Kumar Aditya Kumar, Tinsukia
(PAN: AACHD1574L)
Appellant

Vs. Income-tax Officer, Ward-1, Tinsukia
Respondent

&
I.T.A. Nos. 333/Gau/2018
Assessment Year: 2015-16

Anju Agarwal, Tinsukia
(PAN: ACMPA8122F)
Appellant

Vs. Income-tax Officer, Ward-3, Tinsukia
Respondent

&
I.T.A. Nos. 103/Gau/2019
Assessment Year: 2015-16

Amit Bajoria, Kolkata
(PAN: AHCPB2460Q)
Appellant

Vs. Income-tax Officer, Ward-1(1), Dibrugarh
Respondent

Date of Hearing	12/16.06.2020
Date of Pronouncement	17.06.2020
For the Appellant	Shri Sanjay Modi, FCA
For the Respondent	Shri M. C. Omi Ningshen & Shri N. K. Das, Addl. CIT, Sr. DR

ORDER

All these appeals preferred by the different assessees are against the order of the Ld. CIT(A), Dibrugarh dated 19.09.2018 for AY 2015-16.

2. At the outset, the Ld. Counsel for the assessee drew our attention to the aforesaid respective assessee's letters dated 11.06.2020 wherein it has been stated that the respective assessee's had filed a declaration under the Direct Tax Vivad Se Vishwas Act, 2020 (VSV Act) and pursuant to the same, certificate u/s. 5(1) of the VSV Act has been issued by the designated authority in Form No. 3 dated 08.06.2020. Hence, they requested before the Bench that the appeals under reference may be allowed to be withdrawn. Ld. DR did not raise any objection to this prayer of the assessee. These appeals were mentioned along with application for withdrawal on 12.06.2020, wherein the Ld. AR and Shri M. C. Omi Ningshen, Addl. CIT, Sr. DR was present. Since the appeals were not listed, it has been listed on 16.06.2020 and Shri N. K. Das, Addl. CIT, Sr. DR is present today and since there is no objection, we allow the request of assessee's appeals listed supra to withdraw their appeals. Therefore, we allow the request of the assessees and dismiss all the appeals of the assessees as withdrawn.

3. In the result, all the appeals of assessee are dismissed as withdrawn.

Order is pronounced in the open court on 17th June, 2020.

Sd/-
(Dr. A. L. Saini)
Accountant Member

Sd/-
(Aby. T. Varkey)
Judicial Member

Dated :17th June, 2020

Jd.(Sr.P.S.)

Copy of the order forwarded to:

1. Appellant – i) Dinesh Kumar Mukund Kumar ,ii) Ramesh Agarwal, iii) Ramesh Kumar Rohan Kumar, iv) Sudha Birmiwal. v) Dinesh Agarwal , vi) Shweta Agarwal, vii) Babita Agarwal, viii) Ramjilal Dipak Kumar (HUF), ix) Deeta Devi Agarwal, x) Dipak Kumar Aditya Kumar C/o M/s. R. D. Brothers & Co. A.T. Road, Tinsukia-786125 xi) Ashok Kumar Agarwal(HUF), xii) Anju Agarwal, C/o M/s. Goyal Enterprises, A. T. Rpoad, Tinsukia-786125. xiii) Amit Bajoria, Flat No. 2A, Duke Manor, No. 7C, Priyanath Mullick Road, Kolkata-700 025.
- 2 Respondent – ITO, Ward-3,1,2, Tinsukia, ITO, Ward-1(1), Dibrugarh
3. CIT(A), Dibrugarh
4. CIT-, Dibrugarh
5. DR, ITAT, Guwahati.

/True Copy,

By order,

Senior Pvt. Secy.