

आयकर अपीलिय अधिकरण, चण्डीगढ़ न्यायपीठ "बी", चण्डीगढ़
IN THE INCOME TAX APPELLATE TRIBUNAL, CHANDIGARH BENCH "B", CHANDIGARH
(VIRTUAL COURT)

श्री एन.के.सैनी, उपाध्यक्ष एवं श्री संजय गर्ग, न्यायिक सदस्य
BEFORE: SHRI. N.K.SAINI, VP & SHRI , SANJAY GARG, JM

आयकर अपील सं./ ITA NO. 449/Chd/2017
निर्धारण वर्ष / Assessment Year : 2008-09

NM Merchantiles Limited 85, Industrial Area A Ludhiana	बनाम	The JCIT Range-7 Ludhiana
स्थायी लेखा सं./PAN NO: AMVPS7107H		
अपीलार्थी/Appellant		प्रत्यर्थी/Respondent

निर्धारित की ओर से/Assessee by : Shri Ashwani Kumar, CA
Shri Aditya Kumar, CA
राजस्व की ओर से/ Revenue by : Shri Daya Inder Singh Sidhu, Addl. CIT
सुनवाई की तारीख/Date of Hearing : 23/07/2020
उद्घोषणा की तारीख/Date of Pronouncement : 23/07/2020

आदेश/Order

PER N.K. SAINI, VICE PRESIDENT

This is an appeal filed by the Assessee against the order of the Ld. CIT(A)-3, Ludhiana dt. 15/03/2017.

2. The Ld. Counsel for the Assessee furnished an application for withdrawal of this appeal stating therein as under:

Subject: Request for permission to withdraw appeal in the case of M/s NM Merchantiles Limited., 85, Industrial Area-A, Ludhiana....A.Y. 2008-09...PAN: AACCN6753A ITA No. 449/Chandi/2017

Sir

Respectfully it is submitted that ITA No. 449/Chandi/2017 in the case of M/s NN Merchantiles Limited, is pending for adjudication before the Hon'ble Bench. The petitioner seeks permission to withdraw the above captioned appeal as the appellant company has moved before Ld. Principal Commissioner of Income Tax-3, Ludhiana under "Vivad Se Vishwas Scheme". Also, form 3 has been issued by Ld. PCIT-3, Ludhiana on 15.07.2020, copy of the same is enclosed.

Thanking You

Yours faithfully

Sd/-

(Ashwani Kumar)

C.A.

Counsel for the Appellant

3. During the course of hearing the Ld. Counsel for the Assessee submitted that since the assessee has availed the immunity scheme i.e; Vivad Se Vishwas and the Income Tax Department has since issued Form 3 bearing Certificate No. 399057180150720, in response to the application filed by the assessee, under section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeal of the assessee may be allowed to be withdrawn.
4. The Ld. Sr. DR did not object if appeal of the assessee is dismissed as withdrawn.
5. In view of the above the appeal of the assessee is dismissed as withdrawn.
6. In the result, appeal of the assessee is dismissed.

(Order pronounced in the open Court on 23/07/2020)

Sd/-

संजय गर्ग

(SANJAY GARG)

न्यायिक सदस्य/ Judicial Member

AG

Date: 23/07/2020

Sd/-

एन.के.सैनी,

(N.K. SAINI)

उपाध्यक्ष / VICE PRESIDENT

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

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकर आयुक्त/ CIT
4. आयकर आयुक्त (अपील)/ The CIT(A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय आधिकरण, चण्डीगढ़/ DR, ITAT, CHANDIGARH
6. गार्ड फाईल/ Guard File