

आयकर अपीलीय अधिकरण, चण्डीगढ़ न्यायपीठ "ए", चण्डीगढ़
IN THE INCOME TAX APPELLATE TRIBUNAL, CHANDIGARH BENCH "A", 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. 60/Chd/2020
निर्धारण वर्ष / Assessment Year : 2010-11

Shri Joginder Singh, S/o Shri Puran Singh, Village: Sekha, District : Barnala	बनाम	The ITO , Ward-1, Barnala
स्थायी लेखा सं./PAN NO:CEGPS6489R		
अपीलार्थी/Appellant		प्रत्यर्थी/Respondent

निर्धारित की ओर से/Assessee by : Shri Pardeep Goyal, CA
& Smt. Deepika Pardeep Goyal, Advocate

राजस्व की ओर से/ Revenue by : Shri Arvind Sudarshan, JCIT (Sr. DR)

सुनवाई की तारीख/Date of Hearing : 31/08/2020

उदघोषणा की तारीख/Date of Pronouncement : 31/08/2020

आदेश/Order

PER N.K. SAINI, VICE PRESIDENT

This is an appeal filed by the Assessee against the order of the Ld. CIT(A), Patiala dated 28.10.2019.

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

"To,

The Assistant Registrar,
Income Tax Appellate Tribunal,
Kendriya Sudan,
Chandigarh.

Re : Joginder Singh, PAN No. CEGPS6489R. AVY 2010-2011.
Appeal No. ITA-60/CHANDT/2020

Sub : Application for Withdrawal of Appeal

R/Sir/Madam,

It is respectfully submitted that the assessee had filed appeal for the A/Y 2010-2011 before the honourable ITAT Chandigarh Bench on **15.01.2020**

vide Appeal No.ITA-60/Chandi/2020 against the order of CIT (A), Patiala. There was disputed tax demand of **Rs.381510/-** for the year under consideration.

The assessee has **opted for Direct Tax Vivad Se Vishwas Scheme 2020** in order to end the litigation and to buy his peace of mind. The assessee filed declaration and undertaking in **Form No. 1 and 2 of VSV scheme on 21.03.2020** and also paid full tax liability under the scheme. Thereafter the designated authority i.e. **PCIT, Patiala has issued Certificate U/s 5(1) of the Direct Tax VSV Act, 2020 in Form No.3 on 29.07.2020. (Copy of VSV Form No. 1, 2 & 3 Enclosed).**

Therefore it is requested before your good self to kindly accept the application of appellant for withdrawal of appeal. The assessee has to furnish the proof of withdrawal of ITAT appeal along with Form No.4 of VSV Scheme 2020 to PCIT, Patiala. The power of attorney in the favour of undersigned counsels has been enclosed herewith for your kind perusal.

Thanking You,

Yours Faithfully.

Sd/-
C A. PARDEEP GOYAL

Sd/-
Tax Consultant
Counsels For Assessee/Appellant
Joginder Singh S/o Puran Singh

3. During the course of hearing the Ld. Representatives 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. 427363150290720 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 31/08/2020)

Sd/-

Sd/-

संजय गर्ग
(SANJAY GARG)

एन.के.सैनी,
(N.K. SAINI)

न्यायिक सदस्य/ Judicial Member

उपाध्यक्ष / VICE PRESIDENT

Date: 31/08/2020

Rkk

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