

आयकर अपीलीय अधिकरण, दिल्ली न्यायपीठ “फ्राइडे-ए”, नई दिल्ली में

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH ‘FRIDAY-A’, NEW DELHI**

सुश्री सुषमा चावला, उपाध्यक्ष एवं श्री आर के पांडा, लेखा सदस्य के समक्ष  
**BEFORE MS. SUSHMA CHOWLA, VP & SHRI R.K. PANDA, AM**

**[THROUGH VIDEO CONFERENCING]**

आयकर अपील सं. / ITA No.710/Bang./2013  
निर्धारण वर्ष / Assessment Year: 2005-06

Adobe Software India Private Limited,  
(Now amalgamated with Adobe  
Systems India Private Limited)  
Plot No.1-1A, City Centre, Sector-25A,  
Noida (U.P.)-201301  
PAN-AACCA2982J

.....अपीलार्थी / Appellant

vs

The JCIT,  
Range-1, Noida,  
(Earlier jurisdiction with Deputy  
Commissioner of Income Tax Circle-11(1),  
Bengaluru.

..... प्रत्यर्थी / Respondent

अपीलार्थी की ओर से / Appellant by: Sh. Purushottam Anand, Advocate

प्रत्यर्थी की ओर से / Respondent by: Ms. Rakhi Vimal, Sr. DR

सुनवाई की तारीख / <b>Date of Hearing : 04.09.2020</b>	घोषणा की तारीख / <b>Date of Pronouncement: 04.09.2020</b>
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**आदेश / ORDER**

**PER SUSHMA CHOWLA, VP**

The present appeal filed by assessee is against order of CIT(A)-IV, Bengaluru, dated 19.03.2013 relating to assessment year 2005-06 against the

order passed under section 143(3) of the Income-tax Act, 1961 (in short 'the Act').

2. The Ld. AR for the assessee has requested for withdrawal of the appeal filed by the assessee and stated that the assessee has opted the dispute relating to the tax arrears for the Assessment Year under consideration under "Vivad Se Vishwas Scheme, 2020". An application to this effect has been filed by assessee dated 02.09.2020.

3. The Ld. DR for the Revenue has no objection to the same.

4. In view of the above, we accept the request of the assessee for withdrawal of the appeal.

5. However, the aforesaid is subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the afore-stated Act, the appellant (i.e. the assessee) shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. The Ld. DR for the Revenue has no objection with regard to the aforesaid caveat.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 04<sup>th</sup> September, 2020.

**Sd/-**  
**(R.K. PANDA)**  
लेखा सदस्य/ACCOUNTANT MEMBER

**Sd/-**  
**(SUSHMA CHOWLA)**  
उपाध्यक्ष / VICE PRESIDENT

दिल्ली / दिनांक Dated : 04<sup>th</sup> September, 2020  
Shekhar.

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order is forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent
3. आयकर आयुक्त(अपील) / The CIT(A)
4. मुख्य आयकर आयुक्त / The Pr. CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, दिल्ली / DR, ITAT, Delhi
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

सहायक रजिस्ट्रार, आयकर अपीलीय अधिकरण ,दिल्ली  
**Assistant Registrar, ITAT, Delhi**