

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'B': NEW DELHI**

**BEFORE SHRI PRASHANT MAHARISHI, ACCOUNTANT MEMBER
AND
SHRI K.NARASIMHA CHARY, JUDICIAL MEMBER**

**I.T.A. No. 640/Del/2016
Assessment Year: 2011-12**

**M/s Frugal Developers (P) LTD vs DCIT, Central circle-18
c/o M/s RRA tax India, New Delhi
D-28, South extension, Part-I,
New Delhi-110049
PAN: AABCF 5805E
(Appellant) (Respondent)**

**I.T.A. No. 1393/Del/2016
Assessment Year: 2011-12**

**ACIT, Central circle-27 vs M/s Frugal Developers (P) LTD
New Delhi H-123, sector-63, Noida,
PAN: AABCF 5805E
(Appellant) (Respondent)**

**Assessee by: Shri Somil Agarwal, Advocate
Department by: Smt. Nidhi Srivastava, CIT-DR**

**Date of Hearing: 28/08/2020
Date of Pronouncement: 28/08/2020**

ORDER

PER K. NARASIMHA CHARY, JM

Challenging the order dated 31/12/2015 passed by the learned Commissioner of Income Tax (Appeals)-25, Delhi ("Ld. CIT(A)"), in the case of M/s frugal developers private limited ("the assessee") for the assessment year 2011-12, both the assessee and Revenue filed these appeals.

2. At the outset, Ld. AR submitted that the assessee opted for the settlement of the dispute through the Vivad Se Vishwas Scheme by submitting Forms 1 and 2 and the assessee is waiting the issuance of Form 3 by the authorities. Both the counsel submitted that subject to the issuance of Form 3 by the authorities, these appeals may be dismissed as withdrawn, reserving the right to the parties to seek recall of this order in case of any dispute relating to the issuance of Form No. 3.

3. Since the assessee had already opted for Vivad se Vishwas Scheme by filing Forms No. 1 and 2 and waiting for issuance of Form No. 3 by the authorities, we are of the considered opinion that these appeals could be dismissed as withdrawn, reserving right to the parties to seek the recall of this order in case of any dispute arising in issuance of Form No. 3.

4. Both the appeals are accordingly dismissed as withdrawn, as indicated above.

Order pronounced in the Open Court on 28 August, 2020.

(PRASHANT MAHARISHI)
ACCOUNTANT MEMBER

Dated: **28/08/2020.**

as

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1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

(K.NARASIMHA CHARY)
JUDICIAL MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI

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