

आयकर अपीलीय अधिकरण, जयपुर न्यायपीठ, जयपुर
IN THE INCOME TAX APPELLATE TRIBUNAL, JAIPUR BENCHES "B", JAIPUR

श्री एन.के.सैनी, उपाध्यक्ष एवं श्री संदीप गोसाईं, न्यायिक सदस्य के समक्ष
BEFORE: SHRI N.K. SAINI, VICE PRESIDENT & SHRI SANDEEP GOSAIN, JM

आयकर अपील सं./ITA No. 1330, 1331, 1332 & 1333/JP/2019
निर्धारण वर्ष / Assessment Years :2012-13 to 2015-16

Prateek Bhagchandka, 1-TA-12, Vigyan Nagar, Kota.	बनाम Vs.	D.C.I.T., Central Circle, Kota.
स्थायी लेखा सं./जीआईआर सं./PAN/GIR No.: AIUPB 3446 P		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

निर्धारिती की ओर से / Assessee by : Shri Vijay Goyal (FCA)
राजस्व की ओर से / Revenue by : Ms. Chanchal Meena (Addl.CIT)

सुनवाई की तारीख / Date of Hearing : 16/09/2020
उदघोषणा की तारीख / Date of Pronouncement : 16/09/2020

आदेश / ORDER

PER: BENCH

All these appeals are filed by the assessee against the separate orders of Id. CIT(A)-2, Udaipur all dated 20/09/2019 for the A.Y. 2012-13 to 2015-16 respectively.

2. The hearing of the appeals was concluded through video conference in view of the prevailing situation of Covid-19 Pandemic.

3. The Id. Counsel for the assessee furnished applications for withdrawal of these appeals. The common contention in the said applications read as under:

"The assessee has opted Vivad Se Vishwas Scheme for AY 2012-13. As the Form -1 and Form -2 approved by the PCIT Central, Jodhpur on dated 02/09/2020 and has given the certificate in Form-3. Now the Assessee is to submit the Form-4 attaching the proof of withdrawal of appeal from ITAT. Therefore, the present application is being filed by the assessee for withdrawal of the appeal referred to above.

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The copy of Form-3 is also attached herewith for your reference.

It is, therefore, most humbly requested that the Assessee may kindly be permitted to withdraw the appeal and the same may please be disposed off as withdrawn.

Prayed accordingly,

For Prateek Bhagchandka,

*Mukesh Kasera
(A/R)*

3. During the course of hearing the Ld. Counsel for the Assessee submitted that 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. 513133040020920 for the A.Y. 2012-13, Certificate No. 513144850020920 for the A.Y. 2013-14, Certificate No. 513150830020920 for the A.Y. 2014-15 and Certificate No.

513159150020920 for the A.Y. 2015-16 in response to the applications filed by the assessee, under section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeals of the assessee may be allowed to be withdrawn.

4. The Ld. DR did not object if appeals of the assessee are dismissed as withdrawn.

5. In view of the above the appeals of the assessee are dismissed as withdrawn.

6. In the result, all the appeals of the assessee are dismissed.

Order pronounced in the open court on 16th September, 2020.

Sd/-
(संदीप गोसाईं)
(SANDEEP GOSAIN)
न्यायिक सदस्य / Judicial Member

Sd/-
(एन.के.सैनी)
(N.K. SAINI)
उपाध्यक्ष / Vice President

जयपुर / Jaipur

दिनांक / Dated:- 16/09/2020

*Ranjan

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

1. अपीलार्थी / The Appellant- Shri Prateek Bhagchandka, Kota.
2. प्रत्यर्थी / The Respondent- The D.C.I.T., Central Circle, Kota.
3. आयकर आयुक्त / CIT
4. आयकर आयुक्त(अपील) / The CIT(A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, जयपुर / DR, ITAT, Jaipur
6. गार्ड फाईल / Guard File (ITA No. 1330 to 1333/JP/2019)

आदेशानुसार / By order,

सहायक पंजीकार / Asst. Registrar