

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

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

आयकर अपील सं./ ITA No. 546/JP/2019  
निर्धारण वर्ष / Assessment Year :2011-12

Shri Satish Kumar Sharma, S/o- Shri Deen Dayal Sharma, 47, Jain Mohalla, Mojmabad, Tehsil-Dudu, Jaipur.	बनाम Vs.	I.T.O., Ward-7(3), Jaipur.
स्थायी लेखा सं./ जीआईआर सं./ PAN/GIR No.: CSLPS 8788 P		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

आयकर अपील सं./ ITA No. 547/JP/2019  
निर्धारण वर्ष / Assessment Year :2011-12

Shri Vaidya Deen Dayal Sharma, S/o- Shri Bansidhar Sharma, 47, Jain Mohalla, Mojmabad, Tehsil-Dudu, Jaipur.	बनाम Vs.	I.T.O., Ward-7(3), Jaipur.
स्थायी लेखा सं./ जीआईआर सं./ PAN/GIR No.: ACZPS 7275 C		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

निर्धारिती की ओर से / Assessee by : Shri Devang Gargieya (ITP)  
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**

Both these appeals are filed by the two different assesseees against the two separate orders of Id. CIT(A)-3, Jaipur each dated 11/02/2019 for the A.Y. 2011-12.

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 appearing on behalf of the assessee moved applications to withdraw these appeals. The common contention in the said applications read as under:

*"The hearing of the above matter is fixed on 16/09/2020.*

*In this connection, it is submitted that as instructed by the above captioned client, it is hereby prayed that the above appeal please be treated as withdrawn with immediate effect inasmuch as the assessee has opted for settlement under the Vivad se Vishwas Scheme-2020 on 16/03/2020. A formal order, to this effect may kindly be passed at an early date and oblige."*

4. The Id DR has raised no objection if the appeals of the assessee are allowed to be withdrawn.

5. Therefore, in view of the fact that the assessee has already approached the department to settle the matter under Vivad Se Vishwas scheme, we permit the assessee to withdraw their appeals. Accordingly, the appeals of the assessee are dismissed as withdrawn.

Order pronounced in the open court on 16<sup>th</sup> 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- (i) Shri Satish Kumar Sharma, Jaipur.  
(ii) Shri Vaidya Deen Dayal Sharma, Jaipur.
2. प्रत्यर्थी / The Respondent- The I.T.O., Ward-7(3), Jaipur.
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. 546 & 547/JP/2019)

आदेशानुसार / By order,

सहायक पंजीकार / Asst. Registrar