

आयकर अपीलिय 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. 236/JP/2019
निर्धारण वर्ष / Assessment Year :2012-13

Shri Premeshwar Dayal Jhanwar, C/o- B Vishal & Co., "Raghukul", 15, UIT Plots, B/H Gumanpura Police Station, Jhalawar Road, Kota.	बनाम Vs.	I.T.O., Bundi.
स्थायी लेखा सं./ जीआईआर सं./ PAN/GIR No.: ABJPJ 3172 A		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

निर्धारिती की ओर से / Assessee by : Shri B.V. Maheshwari (CA)
राजस्व की ओर से / Revenue by : Ms. Chanchal Meena (Addl.CIT)

सुनवाई की तारीख / Date of Hearing : 17/09/2020
उदघोषणा की तारीख / Date of Pronouncement : 17/09/2020

आदेश / ORDER

PER: SANDEEP GOSAIN, J.M.

The present appeal has been filed by the assessee against the order of the Id. CIT(A), Kota dated 22/01/2019 for the A.Y. 2012-13.

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 application for withdrawal of this appeal. The contents made in the said application read as under:

"With reference to the subject, we submit that the assessee have filed Form VsV-4 at the transaction ID-8597149733 on 22/06/2020.

That the Department have issued Form No. 3 on 26/05/2020 and also Form No. 4 has been submitted on 22/06/2020. That the application of

the assessee have been considered by the department under Vivad Se Visvas Scheme. We thus submit to withdraw the appeal & report Hon. Bench to decide in the light of above.

Thanking you,

Yours Truly,

*(CA B.V. Maheshwari)
A/R"*

4. 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. 340974140260520 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section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeal of the assessee may be allowed to be withdrawn.
5. The Ld. DR did not object if appeal of the assessee is dismissed as withdrawn.
6. In view of the above the appeal of the assessee is dismissed as withdrawn.
7. In the result, appeal of the assessee is dismissed.

Order pronounced in the open court on 17th September, 2020.

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

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

जयपुर / Jaipur
दिनांक / Dated:-17/09/2020
*Ranjan

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

1. अपीलार्थी / The Appellant- Shri Premeshwar Dayal Jhanwar, Kota.
2. प्रत्यर्थी / The Respondent- The I.T.O., Bundi.
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. 236/JP/2019)

आदेशानुसार / By order,

सहायक पंजीकार / Asst. Registrar