

IN THE INCOME TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT
BEFORE SHRI PAWAN SINGH, JUDICIAL MEMBER AND
DR. ARJUN LAL SAINI, ACCOUNTANT MEMBER
ITA Nos. 283/AHD/2016 & 352/SRT/2017
(Assessment years: 2009-10)
(Virtual Court)

Prakashkumar Manubhai Desai, Parishram Society, Koparli Road, Vapi -396 195 PAN : ACEPD4329H	Vs	The Income Tax Officer, Vapi Ward -7, Vapi
APPELLANT		RESPONDEDNT

Appellant by	Shri A Gopalakrishnan - CA
Respondent by	Smt Anupama Singla- Sr. DR
Date of hearing	21-09-2020
Date of pronouncement	21-09-2020

PER BENCH:

1. The appeal in ITA No. 283/AHD/2016 was listed for hearing on 21.09.2020, which relates to quantum assessment of Assessment Year (AY) 2009-10. The assessee filed an application for consolidation of ITA No. 352/SRT/2017 which relates to penalty levied by Assessing Officer (AO) under section 271(1)(c) for same assessment year on certain addition/disallowance. In the said application the assessee made a request to consolidate the ITA No. 352/SRT/2017 with ITA No. 283/AHD/2016. The assessee in both the appeals filed an application for withdrawal of appeals, on the ground that the assessee has already filed an application for settlement of dispute

with the Revenue under Direct Tax Vivad Se Viswas Act, 2020 and would like to withdraw both the appeals.

2. The Id. Authorized Representative (AR) of the assessee made a submission on similar lines and pray for withdrawal of both the appeals. The Id. Departmental Representative (DR) has no objection if the assessee is allowed to withdrawal his appeals. Considering the contents of the application dated 22/08/2020 and the submissions made by Id. AR for the assessee, the assessee is allowed to withdrawal both the appeals. Resultantly, both the appeals are dismissed as withdrawn

3. In the result, both the appeals are dismissed as withdrawn.

Order announced in Court at the time of hearing the appeals.

Sd/-

**(DR. ARJUN LAL SAINI)
ACCOUNTANT MEMBER**

Sd/-

**(PAWAN SINGH)
JUDICIAL MEMBER**

Surat, Dated: 21/09/2020
Samanta, PS

Copy to:

1. Appellant
2. Respondent
3. CIT(A)
4. CIT
5. DR

// True Copy //

By order

Assistant Registrar/Sr. PS/PS
ITAT, Surat