

IN THE INCOME TAX APPELLATE TRIBUNAL
BANGALORE BENCHES “ A ” BENCH: BANGALORE

**BEFORE SHRI GEORGE GEORGE K, JUDICIAL MEMBER
AND SHRI B.R.BASKARAN, ACCOUNTANT MEMBER**

ITA No. & Asst. Year	Appellant	Respondent
876/Bang/2018 2008-09	Shri Pradeep Jayanna, No.139-A, Jayadeep, 4 th Main, 5 th Cross, P P Layout, BSK III Stage, Bangalore- 560 085 PAN ADEPJ 1803D	Income Tax Officer, Ward 5(3)(3), Bangalore.

Assessee By:	None.
Revenue By:	None.

Date of Hearing :	5.10.2020.
Date of Pronouncement :	5.10.2020.

ORDER

PER SHRI GEORGE GEORGE K, JM :

This appeal at the instance of assessee is directed against the order of Commissioner of Income Tax (Appeals)-5, Bangalore Dt.11.12.2017. The relevant Assessment Year is 2008-09.

2. The learned Authorised Representative submitted a letter stating that the assessee has filed an application on 23.03.2020 under the Vivad Se Vishwas Act, 2020 and requested for adjournment of the case. Since the assessee has filed an application under Vivad se Vishwas Act, 2020, we rejected the adjournment

request and proceed to disposed of the case. The assessee has to withdraw the pending appeal after filing the Form VSV1 as per Vivad Se Vishwas Act, 2020. Thereafter the assessee is required to furnish a copy of the same along with the proof of payment of tax as determined by the tax official to the department.

3. We have perused the material on record. Since the assessee has filed application before the Department under Vivad Se Vishwas Act, 2020, the present appeal filed before the Tribunal, we are of the view that no purpose will be served in keeping the appeal pending. Accordingly, we dismiss the appeal of the assessee as withdrawn. Further the assessee is at liberty to move appropriate application for recall of the present order in accordance with the law, if the assessee intends to do so.

4. In the result, the appeal of the assessee is dismissed as withdrawn.

Pronounced in the open court on the date mentioned on the caption page.

Sd/-

(B.R. BASKARAN)
ACCOUNTANT MEMBER

Sd/-

(GEORGE GEORGE K)
JUDICIAL MEMBER

Dated: 05.10.2020.

*Reddy GP

Copy to

1. The appellant
2. The Respondent
3. CIT (A)
4. Pr. CIT
5. DR, ITAT, Bangalore.
6. Guard File

By order

Assistant Registrar
Income-tax Appellate Tribunal
Bangalore