

आयकर अपीलीय अधिकरण, जयपुर न्यायपीठ, जयपुर  
IN THE INCOME TAX APPELLATE TRIBUNAL, JAIPUR BENCHES "B", JAIPUR  
श्री संदीप गोसाई, न्यायिक सदस्य एवं श्री विक्रम सिंह यादव, लेखा सदस्य के समक्ष  
BEFORE SHRI SANDEEP GOSAIN, JM & SHRI VIKRAM SINGH YADAV, AM

आयकर अपील सं./ITA No. 305/JP/2018  
निर्धारण वर्ष / Assessment Year :2015-16

Smt. Prem Kumari Surana, Through L/H-Shri Kamal Chand Surana, B-7, Surana Enclave, Ram Singh Road, OPP.- SMS Hospital, Jaipur.	बनाम Vs.	D.C.I.T. Central Circle-2, Jaipur.
स्थायी लेखा सं./जीआईआर सं./PAN/GIR No.: AMOPS 1472 J		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

निर्धारिती की ओर से / Assessee by : Shri Rajni Kant Bhatra (CA)  
राजस्व की ओर से / Revenue by : Smt. Rooni Paul (Addl.CIT)

सुनवाई की तारीख / Date of Hearing : 14/10/2020  
उदघोषणा की तारीख / Date of Pronouncement : 14/10/2020

आदेश / ORDER

**PER: SANDEEP GOSAIN, J.M.**

This appeal has been filed by the assessee against the order of the  
Id. CIT(A)-4, Jaipur dated 14/12/2017 for the A.Y. 2015-16.

2. The hearing of the appeal was concluded through video conference  
in view of the prevailing situation of Covid-19 Pandemic.
3. An application for withdrawal of this appeal has been filed by the  
assessee vide letter dated 13/10/2020. The contention made in the said  
application reads as under:

*"The above appeal is fixed for hearing on 14/10/2020. It is submitted that appellant filed an application in 'VIVAD SE VISHWAS' Scheme, 2020 on 14/07/2020. The Id PCIT, Central, Jaipur has issued certificate No. 583641670250920 in Form No. 5 on 30/09/2020. A copy of said certificate is enclosed herewith.*

*In the circumstances it is prayed your honor that appellant may kindly be allowed to withdraw the appeal pending for disposal before your honor.*

*Thanking you*

*Yours faithfully,  
For NB. Khosla & Co.  
Chartered Accountants*

*(Counsel for Assessee)"*

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 5 bearing Certificate No. 583641670250920 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section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeal of the assessee may be allowed to be withdrawn.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 DR did not object if appeal of the assessee is dismissed as withdrawn.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. 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 its appeal. Accordingly, the appeal of the assessee is dismissed as withdrawn.

7. In the result, this appeal of the assessee is dismissed.

Order pronounced in the open court on 14<sup>th</sup> October, 2020.

Sd/-  
(विक्रम सिंह यादव)  
(VIKRAM SINGH YADAV)  
लेखा सदस्य / Accountant Member

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

जयपुर / Jaipur  
दिनांक / Dated:-14/10/2020

\*Ranjan

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

1. अपीलार्थी / The Appellant- Smt. Prem Kumari Surana, through L/H- Shri Kamal Chand Surana, Jaipur.
2. प्रत्यर्थी / The Respondent- The D.C.I.T., Central Circle-2, 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. 305/JP/2018)

आदेशानुसार / By order,

सहायक पंजीकार / Asst. Registrar