

आयकर अपीलीय अधीकरण, न्यायपीठ – “वि” कोलकाता,
*IN THE INCOME TAX APPELLATE TRIBUNAL
KOLKATA BENCH “VIRTUAL B” KOLKATA*

Before **Shri J.Sudhakar Reddy, Accountant Member** and
Shri S.S.Godara, Judicial Member

ITA No.1533/Kol/2019
Assessment Year: 2011-12

Shri Pradip Kumar Bannerjee, M/s G.P.Agrawal & Associates, Advocates, 7A, Kiran Shankar Roy Road, 2 nd Floor, Kolkata-700 001 [PAN No.ADTPB 8996 N]	<u>बनाम</u> / V/s.	Income Tax Officer War-22(3), 54/2 Rafi Ahmed Kidwai Road, 4 th Floor, Kolkata-700 016
अपीलार्थी /Appellant	..	प्रत्यर्थी /Respondent

अपीलार्थी की ओर से/By Appellant	Miss. Sukanya Dutta, A.R
प्रत्यर्थी की ओर से/By Respondent	Smt. Ranu Biswas Addl. CIT-DR
सुनवाई की तारीख/Date of Hearing	20-10-2020
घोषणा की तारीख/Date of Pronouncement	20-10-2020

आदेश /O R D E R

PER S.S.Godara, Judicial Member:-

This assessee's appeal for assessment year 2011-12 arises against the Commissioner of Income Tax (Appeals)-6 Kolkata's order dated 13.03.2019 passed in case No. CIT(A),Kol-6/10053/2017-18 involving penalty proceedings u/s 271(1)(c) of the Income Tax Act, 1961; in short 'the Act'.

Heard both the parties. Case file perused.

2. Learned Counsel submitted at the outset that the assessee is availing settlement under the “*Vivad Se Vishwas Scheme*”. It has also filed an application dated 25.02.2020 to this effect. Learned departmental representative does not raise any objection.

3. After hearing foregoing rival submissions, we dismiss the instant appeal as withdrawn with a rider that the same shall be restored in case the assessee fails to avail its settlement under the “*Vivad Se Vishwas Scheme*” for technical reasons.

4. This assessee appeal is dismissed as withdrawn in above terms.

Order pronounced in open court at the close of hearing on Tuesday 20th October, 2020

Sd/-
(लेखा सदस्य)
(J.Sudhakar Reddy)
Accountant Member

Sd/-
(न्यायिक सदस्य)
(S.S.Godara)
Judicial Member

*Dkp-Sr.PS

दिनांक:- 20/10/2020 कोलकाता / Kolkata

आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-

1. अपीलार्थी/Appellant-Shri Pradip Kumar Bannerjee M/s G.P.Agrawal & Associates
Advocates, 7A, Kiran Shankar Roy Rd. 2nd Floor, Kolkata-01
2. प्रत्यर्थी/Respondent-ITO Wd-22(3), 54/2, Rafi Ahmed Kidwai Rd, 4th Fl. Kolkata-16
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त- अपील / CIT (A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण कोलकाता/DR, ITAT, Kolkata
6. गार्ड फाइल / Guard file.

By order/आदेश से,

/True Copy/

सहायक पंजीकार
आयकर अपीलीय अधिकरण,
कोलकाता ।