

आयकर अपीलीय अधिकरण, चण्डीगढ़ न्यायपीठ "ए", चण्डीगढ़
IN THE INCOME TAX APPELLATE TRIBUNAL, CHANDIGARH BENCH "A", CHANDIGARH

श्री संजय गर्ग, न्यायिक सदस्य एवं श्रीमती अन्नापूर्णा गुप्ता, लेखा सदस्य
BEFORE: Sh. SANJAY GARG, JM & SMT. ANNAPURNA GUPTA, AM

आयकर अपील सं./ ITA NO. 404/Chd/2017

निर्धारण वर्ष / Assessment Year : 2008-09

Desh Bhagat Memorial Educational Trust # 1031, Sector 42-A, Chandigarh	बनाम	The DCIT Circle-1(Exemption) Chandigarh
स्थायी लेखा सं./PAN NO: AAATD3127H		
अपीलार्थी/Appellant		प्रत्यर्थी/Respondent

निर्धारित की ओर से/Assessee by : Shri A.K. Jindal, CA

राजस्व की ओर से/ Revenue by : Shri Arvind Sudarshan, JCIT

सुनवाई की तारीख/Date of Hearing : 28/10/2020

उद्घोषणा की तारीख/Date of Pronouncement : 28/10/2020

आदेश/Order

PER SANJAY GARG, JUDICIAL MEMBER:

This is an appeal filed by the Assessee against the order of the Ld. CIT(A)-2, Chandigarh dt. 23/01/2017.

2. Assessee furnished an application for withdrawal of the appeal stating therein as under:

SUB: Withdrawal of Appeal in case of Desh Bhagat Memorial Educational Trust Sir,

The appellant Desh Bhagat Memorial Educational Trust having PAN : AAATD3127H has filed an appeal for the A.Y 2008-09 on 02.03.2017. Copy of acknowledgment for filing the appeal is enclosed. The appellant has filed an application under Vivad Se Vishwas Scheme and has been issued Form no 3 by the CIT(Exemption), Chandigarh. A copy of Form no 3 is enclosed.

Under the circumstances, it is requested that the appellant may be allowed to withdraw the appeal filed on 02.03.2017

For Desh Bhagat Memorial Educational Trust

Sd/-

Chairman

3. During the course of hearing the Ld. Counsel for the Assessee submitted that since the assessee has availed the immunity scheme i.e; Vivad Se Vishwas and the Income Tax Department has issued Form 3 bearing Certificate No. 416307470240720, 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section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeal of the assessee may be allowed to be withdrawn.
4. The Ld. DR did not object if appeal of the assessee is dismissed as withdrawn.
5. In view of the above the appeal of the assessee is dismissed as withdrawn.
6. In the result, appeal of the assessee is dismissed.

(Order pronounced in the open Court on 28/10/2020)

Sd/-

अन्नापूर्णा गुप्ता,

(ANNAPURNA GUPTA)

लेखा सदस्य/ Accountant Member

AG

Date: 28/10/2020

Sd/-

संजय गर्ग

(SANJAY GARG)

न्यायिक सदस्य/ Judicial Member

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

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकर आयुक्त/ CIT
4. आयकर आयुक्त (अपील)/ The CIT(A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय आधिकरण, चण्डीगढ़/ DR, ITAT, CHANDIGARH
6. गार्ड फाईल/ Guard File