

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD 'SMC' BENCH : Hyderabad**

(Through Video Conference)

Before Smt. P. Madhavi Devi, Judicial Member

**ITA No. 342/Hyd./2018
Assessment Year: 2008-09**

Sri Kanji Ram Moorjani
Hyderabad

vs. ITO, Ward 13(3)
Hyderabad

PAN: ADWPM7887N

(Appellant)

(Respondent)

For Assessee: Sh. M.V.Anil Kumar, AR
For Revenue: Ms. Kanika Aggarwal, D.R.

Date of Hearing : 02/11/2020
Date of Pronouncement : 02/11/2020

ORDER

This is assessee's appeal filed against the order of CIT(A)-4, Hyderabad dated 19.07.2017 relating to A.Y. 2008-09 passed u/s 143(3) r.w.s. 147 of the Income Tax Act, 1961.

This appeal filed by the assessee was taken up for hearing through Video Conference on 02.11.2020 and both the parties were heard.

2. The Ld.AR for the assessee has requested for withdrawal of the appeal filed by the assessee stating that the assessee has opted to settle the dispute relating to the tax arrears for the A.Y. under consideration under "*Vivad Se Vishwas Scheme, 2020*". He further submitted that an application to this effect has been filed by the assessee and that the assessee has also received Form- 3.

3. The Ld.DR has no objection to the same.

4. In view of the above, we accept the request of the assessee for withdrawal of the appeal as Pr.CIT-4 has issued Form-3.

5. However, the aforesaid is subject to a caveat that in case the dispute relating to tax arrears for the captioned A.Y. is not ultimately resolved in terms of the afore-stated Act, the appellant (i.e. the assessee) is at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriate as per law. The Ld.DR for the revenue has no objection with regard to the aforesaid caveat.

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 In the result, the appeal of the assessee is dismissed as 'withdrawn'.

Order pronounced in Open Court on 02/11/2020.

Sd/-
(P. MADHAVI DEVI)
JUDICIAL MEMBER

Dated: 02nd November, 2020

• *gmv*

Copy of Order forwarded to:

1. Sri Kani Ram Moorjani, C/o M. Anandam & Co., Chartered Accountants, 7 A, Surya Towers, S.P.Road, Secunderabad 500 003.
2. ITO, Ward 13(3), Hyderabad / ACIT, Range-13, Hyderabad.
3. CIT(A)-4, Hyderabad.
4. Pr.CIT-4, Hyderabad
- 5 D.R. ITAT Hyderabad
6. Guard File