

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "A" NEW DELHI**

**BEFORE SHRI BHAVNESH SAINI, JUDICIAL MEMBER
AND SHRI ANIL CHATURVEDI, ACCOUNTANT MEMBER**

**आ.अ.सं./I.T.A No.2288/Del/2012
निर्धारणवर्ष/Assessment Year:2008-09**

Shri Akhilesh Kumar S/o Late Shri Raghubeer Dayal 55, Village, Makanpur, NH-24, Indirapuram, Ghaziabad Current Address: 819, Nitikhand-1, Indirapuram, Ghaziabad	बनाम Vs.	ITO Ward 1(1) Ghaziabad.
PAN No. AUFPK9033Q		
अपीलार्थी Appellant		प्रत्यर्थी/Respondent

निर्धारितकीओरसे /Assessee by	Ms. Mansi Jain, CA
राजस्वकीओरसे /Revenue by	Shri Bhopal Singh, Sr. DR
सुनवाईकीतारीख/ Date of hearing:	18.11.2020
उद्घोषणाकीतारीख/Pronouncement on	18.11.2020

आदेश /O R D E R

PER BHAVNESH SAINI, J.M.

This appeal by assessee has been directed against the order of Ld. CIT(Appeals)-Ghaziabad dated 09.02.2012 for AY 2008-09. The record revealed that earlier this appeal was dismissed for default, however, the Tribunal allowed miscellaneous application of the assessee and appeal of assessee was restored.

2. Ld. Counsel for assessee has submitted that assessee has filed application under Vivad se Vishwas Scheme for the assessment year under appeal. Copy of form no. 1 & 2 are placed on record. Ld. Counsel for

assessee, therefore, submitted that appeal of assessee may be allowed to be withdrawn subject to issue of form no. 3 by the Department.

3. Considering the above statement of Ld. Counsel for assessee, appeal of assessee is dismissed as withdrawn subject to issue of form no. 3 in favour of the assessee by the Revenue Department.

4. In the result, appeal of the assessee stands dismissed as withdrawn with the above direction.

Order pronounced in the open court on 18/11/2020.

Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER

Sd/-
(BHAVNESH SAINI)
JUDICIAL MEMBER

Dated: 18th November, 2020
**Kavita Arora, Sr. P.S.*

Copy of order sent to- Assessee/AO/Pr. CIT/ CIT (A)/ ITAT (DR)/Guard file of ITAT.

By order

Assistant Registrar, ITAT: Delhi Benches-Delhi