

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'G' NEW DELHI**

**(Through Video Conferencing)**

**BEFORE SHRI G.S. PANNU, VICE PRESIDENT  
AND  
SHRI AMIT SHUKLA, JUDICIAL MEMBER**

**ITA No. 3100/Del/2015  
Assessment year 2010-11**

Shri Tilak Sarkar, Dakshineswar, 10, Hailey Road, New Delhi-110001 (PAN: AAKPS7364K)	vs	DCIT, Circle -9(1), New Delhi.
(Appellant)		(Respondent)

**Appellant by: Shri Vibhu Gupta, Advocate  
Respondent by: Shri Vipul Kashyap, Sr. DR**

**Date of hearing : 18.11.2020  
Date of pronouncement : 18.11.2020**

**ORDER**

**PER G.S. PANNU, VICE PRESIDENT**

This appeal by the assessee is directed against the order of learned Dy.CIT, New Delhi dated 28.03.2013 and pertains to assessment year 2010-11.

2. The learned counsel for the assessee, vide its letter dated 17.11.2020, has requested for withdrawal of the appeal filed by him and stated that the

assessee is opting to settle the dispute relating to the tax arrears for the assessment year under consideration under the Vivad Se Vishwas Act, 2020 (in short 'the Act').

3. Considering the aforesaid situation, the captioned appeal is consigned to records and treated as dismissed.

4. However, the aforesaid is subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforestated Act, the appellant (i.e., the assessee) shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. The respondent (i.e., the Revenue) has no objection with regard to the aforesaid caveat.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Above decision was announced on conclusion of Virtual Hearing on 18<sup>th</sup> November, 2020 in the presence of both the parties.

**Sd/-**

**(AMIT SHUKLA)  
JUDICIAL MEMBER**

**Sd/-**

**( G.S. PANNU )  
VICE PRESIDENT**

**'GS'**

Copy forwarded to: -

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR, ITAT

By Order

Assistant Registrar