

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

**(Through Video Conference)**

**Before Smt. P. Madhavi Devi, Judicial Member**

**ITA No. 1692/Hyd./2017  
Assessment Year: 2009-10**

Ramesh Chadra Patel (HUF)  
1-7-145/C/14 ,Shiv Nivas  
Musheerabad  
Hyderabad 500 020

vs. ITO  
Ward 4 (1), Hyderabad

PAN: AACHR9664R  
**(Appellant)**

**(Respondent)**

**For Assessee:** Sh. Pawan Kumar Chakrapani, Adv.  
**For Revenue:** Sh. Rohit Majumdar, D.R.

**Date of Hearing** : 03/12/2020  
**Date of Pronouncement** : 03/12/2020

**ORDER**

This is assessee's appeal filed against the order of CIT(A)-1, Hyderabad dated 09.06.2017 relating to A.Y. 2009-10 passed u/s 143(3) of the Income Tax Act, 1961.

This appeal was taken up for hearing through Video Conference on 03.12.2020 and both the parties were heard.

2. The Ld.AR for the assessee has submitted withdrawal application dated 03.12.2020 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 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 In the result, the appeal of the assessee is dismissed as 'withdrawn'.**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 03/12/2020.

Sd/-  
**(P. MADHAVI DEVI)**  
**JUDICIAL MEMBER**

Dated: 03<sup>rd</sup> December, 2020

• *gmv*

Copy of Order forwarded to:

1. Ramesh Chandra Patel (HUF), 1-7-145/C-14, Shiv Nivas, Musheerabad, Hyderabad 500 020.
2. ITO, Ward 4 (1), Hyderabad.
3. CIT(A)-1, Hyderabad. 4. ACIT, Range 4, Hyderabad
5. Pr.CIT-1, Hyderabad
- 6 D.R. ITAT Hyderabad
7. Guard File