

IN THE INCOME TAX APPELLATE TRIBUNAL
BANGALORE BENCH 'A' : BANGALORE

**BEFORE SHRI CHANDRA POOJARI, ACCOUNTANT MEMBER AND
SMT. BEENA PILLAI, JUDICIAL MEMBER**

IT(TP)A No. & Asst. Year	Appellant	Respondent
162/Bang/2015 2010-11	Dy. Commissioner of Income Tax, Circle 3(1)(1), Bangalore.	M/s. Invitrogen Bioservices India Pvt. Ltd., No.3, Ground Floor, First Technology Place, EPIP, Whitefield, Bangalore-560 066.

Appellant By:	Ms. Neera Malhotra,CIT (D.R)
Revenue By:	Shri Manju L Prasad,Advocate.

Date of Hearing :	10.12.2020.
Date of Pronouncement :	10.12.2020.

ORDER

PER SHRI CHANDRA POOJARI, A.M. :

This appeal filed by the revenue is directed against the assessment order dt.18.12.2014 passed by Dy.CIT, Circle 3(1)(1), Bangalore for the Assessment Year 2010-11. The revenue is aggrieved by the decision of the Dy.CIT.

2. At the outset, the learned Authorised Representative submitted that the assessee has opted to file an application under the Vivad Se Vishwas Act, 2020. Accordingly, ld. AR submitted that the Revenue's appeal may be dismissed with the liberty to move appropriate application for recall of the present order in accordance with law, if the Department intended to do so.

3. On the other hand, the learned Departmental Representative submitted that the assessee could initiate to withdraw the pending appeal after filing the Form VSV1 as per Vivad Se Vishwas Act, 2020. Thereafter the assessee is required to furnish a copy of the same along with the proof of payment of tax as determined by the tax official to the department. Ld. DR submitted that the Form No.3 shall be issued to the assessee in due course and accordingly he submitted that the appeal of the Revenue may be dismissed as withdrawn, if the assessee comply the requirement.

4. We have heard both the parties and perused the material on record. Since the assessee opted for Vivad Se Vishwas Act, 2020, to settle the dispute on the issue involved in this appeal. We are of the view that no purpose will be served in keeping the appeal pending. Accordingly, we dismiss the appeal of the revenue as withdrawn. Further the Department is at liberty to move appropriate application for recall of the present order in accordance with the law, if the revenue intends to do so.

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 In the result, the appeal of the Revenue is dismissed as withdrawn.

Pronounced in the open court on the date mentioned on the caption page.

Sd/-

(SMT. BEENA PILLAI)
JUDICIAL MEMBER

Sd/-

(CHANDRA POOJARI)
ACCOU NTANT MEMBER

Dated: 10.12.2020.

*Reddy GP

Copy to

1. The appellant
2. The Respondent
3. CIT (A)
4. Pr. CIT
5. DR, ITAT, Bangalore.
6. Guard File

By order

Assistant Registrar
Income-tax Appellate Tribunal
Bangalore