

**IN THE INCOME TAX APPELLATE TRIBUNAL
LUCKNOW BENCH 'B LUCKNOW**

[Through Virtual Hearing]

**BEFORE SHRI A.D JAIN, VICE PRESIDENT AND
SHRI T.S. KAPOOR, ACCOUNTANT MEMBER**

ITA No.423/Lkw/2018
Assessment Year 2011-12

Nathuram Nityanand Timbers Pvt. Ltd., Mailani, Distt. Lakhimpur Kheri. PAN AABCN 1910G	Vs.	ACIT, Central Circle-2, Lucknow
(Appellant)		(Respondent)

Appellant by	Shri K.R. Rastogi, CA
Respondent by	Shri Ajay Kumar, DR
Date of hearing	09/11/2020
Date of pronouncement	16/12/2020

ORDER

PER T.S. KAPOOR, A.M.

This appeal has been filed by the assessee against the order of Id. CIT(A), Lucknow dated 12.03.2018.

2. Ld. counsel for the assessee submitted that this appeal was earlier dismissed for non prosecution vide order dated 29.03.2019 which has already been recalled vide Tribunal order dated 04.10.2019.

3. At the outset, it was noticed that the assessee has submitted an application, received by the Registry of this Office on 03.11.2020, vide

which it has been stated that the Principal Commissioner of Income Tax, Lucknow has issued certificates in Form No.3 under the Vivad Se Vishwas Scheme and has determined the tax payable/due to the assessee. In view of the above, it was submitted that appeal filed by the assessee may be permitted to be withdrawn. Ld. DR had no objection to the withdrawal of appeal. Accordingly we permit the assessee to withdraw the appeal.

3. In the result, the appeal filed by the assessee is dismissed as withdrawn.

(Order pronounced in the open court on 16/12/2020 in accordance with Rule 34(4) of I.T.A.T. Rules.)

Sd/-
(A.D. Jain)
Vice President

Sd/-
(T.S. Kapoor)
Accountant Member

Aks –
Dtd. 16 /12/2020

Copy of order forwarded to:

<i>(1) The appellant</i>	<i>(2) The respondent</i>
<i>(3) Commissioner</i>	<i>(4) CIT(A)</i>
<i>(5) Departmental Representative</i>	<i>(6) Guard File</i>

By order

PRIVATE SECRETARY