

**IN THE INCOME TAX APPELLATE TRIBUNAL
AHMEDABAD “B” BENCH**

**(BEFORE SHRI MAHAVIR PRASAD, JUDICIAL MEMBER
& SHRI WASEEM AHMED, ACCOUNTANT MEMBER)**

[Through Virtual Court]

**ITA. Nos: 869 to 872/Ahd/2016
(Assessment Years: 2008-09 & 2010-11)**

Liberty Phosphate Ltd. [Through their successors Coromandal International Ltd.] 74/75, GIDC, Nandesari, Dist. Baroda, Gujarat-391340		The Assistant Commissioner of Income- tax, Circle-1(2), Baroda
PAN No. AAACL 3600N		
(Appellant)		(Respondent)

**Appellant by : Shri Sakar Sharma, A.R.
Respondent by : Shri Lalit P. Jain, Sr. D.R.**

(आदेश)/ORDER

Date of hearing : 14-12-2020
Date of Pronouncement : 16 -12-2020

PER MAHAVIR PRASAD, J.M.

1. These four appeals filed by assessee arise from order of the Ld. CIT(A), Ahmedabad, in proceedings under the Income Tax Act 1961; in short “the Act”.

2. The assesses filed written submissions to withdraw the appeals on the ground that they have opted to avail benefits of Vivad se Vishwas Scheme, 2020 and in their submissions the assesses have also enclosed the copies form no.-3 issued by the Pr. CIT of Income Tax for approving the applications filed by the assesses under the Vivad se Vishwas Scheme, 2020. When the matter was called for hearing, the Ld. Counsels for the assesses at the outset have submitted that they do not want to pursue the said appeals since their applications under Vivad se Vishwas Scheme, 2020 have been approved by the Income Tax Department and requested that their applications for withdrawal of appeals may please be granted.
3. The Ld. Departmental Representative for the Revenue stated that he has no objection to withdraw the appeals in the circumstances narrated on behalf of the assesseees.
4. We have considered the submissions and applications of the assesses for withdrawal of the appeals as their applications have been approved under Vivad se Vishwas Scheme, 2020. A reference has been made in sub-section (2) & (3) of section 4 of Direct Tax Vivad se Vishwas Scheme, 2020 for the purpose of withdrawal of appeals. In the light of the provision made in the scheme and after considering the material on record, the aforesaid requests for withdrawal of appeals of the assesses to avail the VSV Scheme, 2020 in accordance with law are allowed. However, in case, any issue is remained unresolved under the said scheme, then, the assesseees will be at liberty to file the Miscellaneous Application to recall this order to restore the original appeal within the time limit provided in the act.

5. In the result, all the appeals filed by assessee are dismissed as withdrawn.

Order pronounced in Open Court on	16- 12- 2020
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Sd/-
(WASEEM AHMED)
ACCOUNTANT MEMBER True Copy
Ahmedabad: Dated 16/12/2020

Sd/-
(MAHAVIR PRASAD)
JUDICIAL MEMBER

Rajesh

Copy of the Order forwarded to:-

1. The Appellant.
2. The Respondent.
3. The CIT (Appeals) –
4. The CIT concerned.
5. The DR., ITAT, Ahmedabad.
6. Guard File.

By ORDER

Deputy/Asstt.Registrar
ITAT,Ahmedabad