

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DIVISION BENCH "A", CHANDIGARH  
(VIRTUAL COURT)  
BEFORE: SHRI. N.K.SAINI, VICE PRESIDENT AND  
SHRI R.L. NEGI, JUDICIAL MEMBER**

ITA No. 1379/CHD/2019  
Assessment Year : 2008-09

Shri Balwant Singh, S/o Shri. Lehna Singh, Vill Chaneti Tehsil Jagadhri, Distt: Yamuna Nagar	बनाम	The ITO Ward-2, Yamuna Nagar
स्थायी लेखा सं./PAN NO. GVTPS2650L		
अपीलार्थी/Appellant		प्रत्यर्थी/Respondent

निर्धारित की ओर से/Assessee by : Shri Amitoz Singh Kamboz, C.A.  
राजस्व की ओर से/ Revenue by : Smt. Meenakshi Vohra, Addl. CIT

सुनवाई की तारीख/Date of Hearing : 16/12/2020  
उद्घोषणा की तारीख/Date of Pronouncement : 16/12/2020

**आदेश/Order**

**PER N.K. SAINI, VICE PRESIDENT:**

This is an appeal filed by the Assessee against the order of the Ld. CIT(A)-3, Ludhiana dt. 08/02/2019.

2. The Assessee has furnished an application for withdrawal of this appeal stating therein as under:

*Sub.: Request of appeal withdrawal for A.Y. 2008-09 due to availment of Vivad Se Vishwas Scheme.*

*Hon'ble Sir/Ma'am,*

*In respect to the above cited subject, it is hereby submitted that the assessee, Balwant Singh, is appellant under the Direct Tax Vivad se Vishwas Act, 2020 whose appeal had been filed for A.Y. 2008-09 vide Appeal no. IT-1379/CHANDI-2019. The assessee availed the scheme for settling the tax disputes pertaining to the relevant year and filed the DTVSV Form 1 and Form 2 on 30.10.2020.*

*The amount of income assessed for A.Y. 2008-09 was Rs. 5,16,040/- (including additions) and the tax liability was amounting to Rs.83,644/- on the income assessed. The assessee will settle the entire tax dispute by depositing the tax for A.Y. 2008-09 under DTVSV Scheme. A certificate under Section 5(1) of DT Vivad se*

*Vishwas Act, 2020 was issued by designated authority declaring the demand to Rs. 83,644.*

*Considering the above facts, your goodself is requested to kindly pass the order for withdrawal of appeal by assessee so that the assessee would be able to proceed further and pay off the entire disputed tax to the income tax authorities at the earliest.*

*Thanking you.*

*Sd/-*

*CA Amitoz Singh Kamboj  
Counsel for the assessee*

3. During the course of hearing the Ld. Counsel for the Assessee submitted that since the assessee has availed the immunity scheme i.e; Vivad Se Vishwas and the Income Tax Department has since issued Form 3 bearing Certificate No. 778182110031220, in response to the application filed by the assessee, under section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeal of the assessee may be allowed to be withdrawn.
4. The Ld. DR did not object if appeal of the assessee is dismissed as withdrawn.
5. In view of the above the appeal of the assessee is dismissed as withdrawn.
6. In the result, appeal of the assessee is dismissed.

(Order pronounced in the open Court on 16/12/2020 )

Sd/-

**(R.L. NEGI)**  
**JUDICIAL MEMBER**  
**Dated : 16/12/2020**  
**AG**

Sd/-

**(N.K. SAINI)**  
**VICE PRESIDENT**

आदेशकीप्रतिलिपिअग्रेषित/ Copy of the order forwarded to :

1. The Appellant
2. The Respondent
3. CIT
4. The CIT(A)
5. DR, ITAT, Chandigarh
6. Guard File