

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI “SMC-2” BENCH: NEW DELHI**

(THROUGH VIDEO CONFERENCING)

BEFORE SHRI R.K.PANDA, ACCOUNTANT MEMBER

ITA No.4245/Del/2019
Assessment Year : 2010-11

ITO, Ward-2(5), New Delhi	Vs	Vikram Agarwal, A-30, Sector-26, Noida PAN_AGBPA5614M
APPELLANT		RESPONDENT
Appellant by		Sh.Amitabh Gupta, Adv.
Respondent by		Sh. Vinod Sharma, Sr.DR
Date of Hearing		31.12.2020
Date of Pronouncement		31.12.2020

ORDER

PER R.K.PANDA, AM :

This appeal by the Revenue for the assessment year 2010-11 is directed against the order of learned CIT(A)-1, Noida dated 29.11.2018.

2. The learned counsel for the assessee, vide its letter dated 30.12.2020, has stated that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under the “Vivad Se Vishwas Scheme, 2020”. The assessee requested that the Departmental appeal which is being settled under the above Act be treated as withdrawn subject to no objection by the Department.

3. Considering the aforesaid situation, the captioned appeal is consigned to records and treated as dismissed.

4. However, the aforesaid is subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforestated Act, the appellant (i.e., the assessee) shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. The respondent (i.e., the Revenue) has no objection with regard to the aforesaid caveat, and accordingly we hold so.

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 In the result, the appeal of the Revenue is dismissed as withdrawn.

Above decision was announced on conclusion of Virtual Hearing in the presence of both the parties on 31st December, 2020.

Sd/-

(R.K.PANDA)
ACCOUNTANT MEMBER

** Amit Kumar **

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR
ITAT, NEW DELHI