

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

(THROUGH VIDEO CONFERENCING)

BEFORE SHRI R.K.PANDA, ACCOUNTANT MEMBER

**ITA No.3499/Del/2019
Assessment Year : 2009-10**

Alpha Flexi Tubes P.Ltd., M-439, FF, Gur Harkrishan nagar, Paschim Vihar, New Delhi-110087 PAN-AAACA7046D	Vs	ITO, Ward-2(2), New Delhi.
APPELLANT		RESPONDENT
Appellant by	Ms. Sumangla Saksena, Adv. & Sh. Shyam Sunder, 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 assessee for the assessment year 2009-10 is directed against the order of learned CIT(A)-32, New Delhi dated 25.02.2019.

2. The learned counsel for the assessee, vide its letter dated 28.12.2020, received through email, has requested for withdrawal of the appeal filed by him and 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”.

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 aforesaid 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.

5. In view of the aforesaid, the appeal is consigned to record and, for statistical purposes, is treated as dismissed.

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