

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: 'SMC-1' NEW DELHI**

**BEFORE SHRI BHAVNESH SAINI, JUDICIAL MEMBER
AND
SHRI O.P. KANT, ACCOUNTANT MEMBER
[Through Video Conferencing]**

ITA No.6647/Del./2019
Assessment Year: 2011-12

Shri Anand Bagga, House No. 5M-32, NIT, Faridabad	Vs.	ITO, Ward-1(1), Faridabad
PAN :AFBPB0177R		
(Appellant)		(Respondent)

Appellant by	Shri Lalit Mohan, CA
Respondent by	Shri Sriprakash Dubey, Sr.DR

Date of hearing	24.12.2020
Date of pronouncement	05.01.2021

ORDER

PER O.P. KANT, AM:

The present appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-Faridabad, dated 28.06.2019 passed for assessment year 2011-12.

2. The learned counsel for the assessee has requested for withdrawal of the appeal filed by the assessee and stated that the assessee has opted to settle the dispute relating to tax arrears for assessment year under consideration under the 'Vivad Se Vishwas Scheme, 2020' and has applied Form Nos. 1 and 2 for the same. The Form No. 3 is still awaited.

3. Learned DR did not object to the same.
4. In view of above, we accept the request of the assessee for withdrawal of the appeal. However, if the dispute relating to tax arrears is not ultimately resolved in terms of the 'Vivad Se Vishwas Scheme, 2020', the assessee shall be at liberty to approach the Tribunal for re-institution of the appeal and the Tribunal shall consider such application appropriately as per law.
5. In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 5th January, 2021.

Sd/-
(BHAVNESH SAINI)
JUDICIAL MEMBER

Sd/-
(O.P. KANT)
ACCOUNTANT MEMBER

Dated: 5th January, 2021.

RK/-(D.T.D.S.)

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar, ITAT, New Delhi