

आयकर अपीलीय अधिकरण, अहमदाबाद न्यायपीठ 'C' अहमदाबाद ।
IN THE INCOME TAX APPELLATE TRIBUNAL
"C" BENCH, AHMEDABAD
(Conducted through Virtual Court)
BEFORE SHRI RAJPAL YADAV, VICE-PRESIDENT
AND
SHRI AMARJIT SINH, ACCOUNTANT MEMBER

ITA No.2368/Ahd/2015
निर्धारण वर्ष/ Asstt.Year : 2011-12

Sawan Engineers P.Ltd. B-1, Shrinidhi Tower Opp: Beena Nagar Old Padra Road Vadodara 390 003. PAN : AAKCS 9876 P	vs.	ACIT, Cir.4 Baroda.
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(Applicant)	(Responent)
Assessee by :	Shri M.J. Shah
Revenue by :	Shri L.P. Jain, Sr.DR

मुनवाई की तारीख/Date of Hearing : 06/01/2021
घोषणा की तारीख /Date of Pronouncement: 06/01/2021

आदेश/ORDER

PER RAJPAL YADAV, VICE-PRESIDENT:

The above appeal filed by the assessee arises from order of the Commissioner of Income Tax (Appeals)-2, Ahmedabad dated 28.5.2015 for assessment year 2011-12.

2. When the matter was called for hearing, it is noted that the ld.counsel for the assessee has filed a letter sent through email attaching therewith copies Form No.1 and 2 being declaration and undertaking filed by the assessee for availing benefit under "Vivad se Samadhan Scheme". The same are taken on record. In view of this, the ld.counsel for the assessee submitted assessee does not want to pursue the said appeal owing to exercise of option for availing VSV Scheme

as it has complied with requisite formalities, and sought permission for withdrawal of appeal before the Tribunal.

3. The Id. Departmental Representative for the Revenue stated that he has no objection for withdrawal of the appeal by the assessee in view of the application of the Id.counsel for the assessee in this behalf.

4. In the light of the above submission made on behalf of the assessee by assessee's representative, appeal of the assessee stands dismissed as withdrawn. However, in the event, the assessee fails to avail the benefit of VSV Scheme for any *bonafide* reasons, then the assessee will be at liberty to seek restoration of original appeal for adjudication before ITAT in accordance with law.

5. In the result, the appeal of the assessee is dismissed as being withdrawn under VSV scheme.

Order pronounced in the Court on 6th January, 2021 at Ahmedabad.

**Sd/-
(AMARJIT SINGH)
ACCOUNTANT MEMBER**

**Sd/-
(RAJPAL YADAV)
VICE-PRESIDENT**