

IN THE INCOME TAX APPELLATE TRIBUNAL
AHMEDABAD "A" BENCH
(Virtual Court)

**Before: Shri Rajpal Yadav, Vice President
And Shri Amarjit Singh, Accountant Member**

**ITA No. 230/Ahd/2020
Assessment Year 2012-13**

Shri Vinodbhai R. Kanojiya, Prop. Of M/s. Lalbai Bike Zone, S. T. Dept., Nr. Bus Stand, At Dabhoi, Vadodara-391110 PAN: AGMPK4583C (Appellant)	Vs	Dy. CIT, Circle-1(3), Vododara- 390007(Respondent)
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**Revenue by: Shri S. S. Shukla, Sr. D.R.
Assessee by: Smt. Kinjal Shah, A.R.**

Date of hearing : 16-12-2020
Date of pronouncement : 04-01-2021

आदेश/ORDER

PER : AMARJIT SINGH, ACCOUNTANT MEMBER:-

This assessee's appeal for A.Y. 2012-13, arises from order of the CIT(A)-4, Vadodara dated 30-01-2020, in proceedings under section 144 of the Income Tax Act, 1961; in short "the Act".

2 The assessee filed written submission to withdraw the appeal on the ground that he has opted to avail benefits of Vivad se Vishwas Scheme, 2020. When the matter was called for hearing, the Id. counsel for the assessee at the outset has submitted that he does not want to pursue the said appeal and requested that his application for withdrawal of appeal may please be granted.

3. The Id. Departmental Representative for the Revenue stated that he has no objection to withdraw the appeal in the circumstances narrated on behalf of the assessee.

4. We have considered the submission and application of the assessee for withdrawal of the appeal. A reference has been made in sub-section (2) & (3) of section 4 of Direct Tax Vivad se Vishwas Scheme, 2020 for the purpose of withdrawal of appeal. In the light of the provision made in the scheme and after considering the material on record, the aforesaid request for withdrawal of appeal of the assessee to avail the VSV Scheme, 2020 in accordance with law is allowed. However, in case, any issue is remained un-resolved under the said scheme, then, the assessee will be at liberty to file the Miscellaneous Application to recall this order to restore the original appeal within the time limit provided in the act.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 04-01-2021

Sd/-
(RAJPAL YADAV)
VICE PRESIDENT
Ahmedabad : Dated 04/01/2021

Sd/-
(AMARJIT SINGH)
ACCOUNTANT MEMBER

आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-

1. Assessee
2. Revenue
3. Concerned CIT
4. CIT (A)
5. DR, ITAT, Ahmedabad
6. Guard file.

By order/आदेश से,

उप/सहायक पंजीकार
आयकर अपीलीय अधिकरण,
अहमदाबाद