

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
DELHI BENCH: 'B' NEW DELHI**

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

ITA No.1528/Del./2016  
Assessment Year: 2010-11

Connaught Plaza Restaurants (P) Ltd., 13A, Jor Bagh Market, New Delhi	<b>Vs.</b>	DCIT, Circle-3(1), New Delhi
<b>PAN :AAACC1201E</b>		
<b>(Appellant)</b>		<b>(Respondent)</b>

Appellant by	Ms. Somya Jain, CA
Respondent by	Ms. Nidhi Srivastava, CIT(DR)

Date of hearing	11.01.2021
Date of pronouncement	11.01.2021

**ORDER**

**PER O.P. KANT, AM:**

The present appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-14, New Delhi, dated 08.02.2016 passed for assessment year 2010-11.

**2.** We have heard learned Representatives of both the parties through Video Conferencing.

**3.** 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.

**4.** Learned DR did not object to the same.

**5.** 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.

**6.** In the result, the appeal of the assessee is dismissed as withdrawn.

***Order pronounced in the open court.***

***Sd/-***  
**(BHAVNESH SAINI)**  
**JUDICIAL MEMBER**

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

Dated: 11<sup>th</sup> 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