

**IN THE INCOME TAX APPELLATE TRIBUNAL DELHI
BENCH 'SMC-2', NEW DELHI**

BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER

(THROUGH VIDEO CONFERENCING)

ITA No.4015/Del/2019 (for Assessment Year 2015-16)

Rajesh Kumar Sachdev, C-63, 2 nd Floor, East of Kailash, New Delhi-110065 PAN No. AIYPS 5156 R (APPELLANT)	Vs.	ITO, Ward – 61(2), New Delhi (RESPONDENT)
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Assessee by	Sh. Suresh K. Gupta, C.A.
Revenue by	--None--

Date of hearing:	29/12/2020
Date of Pronouncement:	11/01/2021

ORDER

PER ANIL CHATURVEDI, AM:

This appeal filed by the assessee is directed against the order dated 29.03.2019 of the Commissioner of Income Tax (A)-38, New Delhi relating to Assessment Year 2015-16.

2. Before us, assessee has moved an application dated 27.12.2020 wherein the assessee has stated that it has opted for Vivad Se Vishwas (VSV) 2020 and has filed the declaration (Form-

1) and undertaking (Form-2) Scheme and department had issued Form-3 and had requested to allow the withdrawal of appeal.

3. After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 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. With these directions **the appeal of the assessee is dismissed as withdrawn.**

4. **In the result, appeal of the assessee is dismissed.**

Order pronounced in the open court on 11.01.2021

**Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

Date:- 11.01.2021

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Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR
ITAT NEW DELHI