

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

BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER

(THROUGH VIDEO CONFERENCING)

ITA No.4428/Del/2019 (for Assessment Year 2008-09)

Anil Kumar Aggarwal C/o. A. K. Sharma Adv., K-62, FF. Green Park Main Market, New Delhi-110016 PAN No. AAQPA 7842 L (APPELLANT)	Vs.	ITO Ward – 53(4), New Delhi (RESPONDENT)
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Assessee by	Sh. A. K. Sharma, Adv.
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 05.03.2019 of the Commissioner of Income Tax (A)-36, New Delhi relating to Assessment Year 2008-09.

2. Before us, assessee has moved an application dated 24.12.2020 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 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 After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions **the appeal of the assessee is dismissed as withdrawn.**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