

**IN THE INCOME TAX APPELLATE TRIBUNAL
(DELHI BENCH 'I-2' : NEW DELHI)**

**BEFORE SHRI R.K. PANDA, ACCOUNTANT MEMBER
and
SHRI KULDIP SINGH, JUDICIAL MEMBER**

(THROUGH VIDEO CONFERENCE)

**ITA No.1416/Del./2017
(ASSESSMENT YEAR : 2012-13)**

M/s. Motorola Mobility India Pvt. Ltd., vs. DCIT, Circle 2,
12th Floor, Block D, Gurgaon.
DLF Cyber Greens, Phase – III,
Gurgaon – 122 001 (Haryana).

(PAN : AAFCP2261E)

(APPELLANT)

(RESPONDENT)

**ASSESSEE BY : Shri Divyanshu Agarwal, Advocate
REVENUE BY : Shri Anupam Kant Garg, CIT DR**

Date of Hearing : 06.01.2021

Date of Order : 06.01.2021

ORDER

PER KULDIP SINGH, JUDICIAL MEMBER :

Appellant, M/s. Motorola Mobility India Pvt. Ltd.,
(hereinafter referred to as 'the assessee'), by filing the present
appeal, sought to set aside the impugned order dated 31.01.2017
passed by the Assessing Officer (AO) in consonance with the
orders passed by the Id. DRP/TPO under section 143 (3) read with

section 144C of the Income-tax Act, 1961 (for short 'the Act') qua the assessment year 2012-13.

2. Ld. Counsel for the assessee filed an application seeking withdrawal of the appeal on the ground that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under the "Vivad Se Vishwas Scheme, 2020" and has filed Form 3 issued by the Tax Department and also submitted that the issuance of Form 5 by the Designated Authority is still awaited.

3. Keeping in view the aforesaid facts, present appeal is hereby dismissed with liberty to get it restored by the assessee in case dispute is not settled as per scheme. The Revenue has no objection with regard to the aforesaid caveat. Consequently, the present appeal is dismissed.

Order pronounced in open court on this 6th day of January, 2021 after the conclusion of the virtual hearing.

Sd/-

(R.K. PANDA)
ACCOUNTANT MEMBER

sd/-

(KULDIP SINGH)
JUDICIAL MEMBER

Dated the 6th day of January, 2021
TS

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- 1.Appellant
- 2.Respondent
- 3.CIT
- 4.CIT(A)
- 5.CIT(ITAT), New Delhi.

AR, ITAT
NEW DELHI.