

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH ' I-1' NEW DLEHI**

**BEFORE SHRI ANIL CHATURVEDI, ACCOUNTANT MEMBER
AND
SHRI K. NARASIMHA CHARY, JUDICIAL MEMBER**

**ITA No.4601/Del/2017
Assessment Year: 2011-12**

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| <p>Infrasoft Technologies Ltd., 904, 9th Flor, Ackruuti Star, Central Road, MIDC, Andheri (East), Mumbai. PAN : AAACB2817R</p> | vs. | <p>ACIT, Circle 11(1), New Delhi</p> |
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**ITA No.4500/Del/2017
Assessment Year: 2011-12**

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| <p>ACIT, Circle 11(1), New Delhi.</p> <p>(Appellant)</p> | vs. | <p>Infrasoft Technologies Ltd., C/o Mr. Ravinder Gupta, 20, Vakil Lane, K.G. Marg, New Delhi.</p> <p>(Respondent)</p> |
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| Assessee by : | Sh. Ashutosh M. Rastogi, Adv. Sh. Dhruv Seth, Adv. |
| Revenue by : | Sh. Surender Pal, CIT/ DR |

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| Date of hearing: | 13/01/2021 |
| Date of order : | 13/01/2021 |

ORDER

PER K.N. CHARY, JM:

These are cross appeals by the assessee and Revenue for assessment year 2011-12, against the order of learned Commissioner of Income-tax (Appeals)-19, New Delhi dated 03.04.2017.

2. Learned Counsel for the assessee, vide letter dated January 12, 2021, has requested for withdrawal of the appeal filed by assessee and stated that the assessee has opted to settle the dispute relating to the tax arrears under the Vivad Se Vishwas Scheme, 2020 for the assessment year under consideration. A certificate to this effect under section 5(1) of The Direct Tax Vivad Se Vishwas Act, 2020 has also been filed.

3. Learned CIT/DR has no objection.

4. In view of the above, we accept the request of the assessee for withdrawal of its appeal.

5. So far as the appeal of Revenue is concerned, as submitted by Id. DR, the standing instructions are that it is only if the assessee makes payment subsequent to the processing of the case under Vivad Se Vishwas Tak Scheme, 2020, the Revenue will seek withdrawal of the case. In view of this, we make it clear that in case any objection arises in assessee making any payment subsequent thereto, the Revenue shall be at liberty to approach the Court.

6. In view of the aforesaid, both the appeals of assessee and Revenue are consigned to record and treated as dismissed.

Order was announced on conclusion of Virtual Hearing in the presence of both the parties on 13th January, 2021.

Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER

Sd/-
(K. NARASIMHA CHARY)
JUDICIAL MEMBER

Dated: 13/01/2021
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