

**IN THE INCOME TAX APPELLATE TRIBUNAL GAUHATI BENCH, “VIRTUAL HEARING” AT KOLKATA**(समक्ष) श्री ऐ. टी. वर्की, न्यायीक सदस्य  
[Before Shri A. T. Varkey, JM]**I.T.A. No. 04/GAU/2020**  
Assessment Year:2011-12

Shri Dhruv Mohta (PAN: AITPM8040K)	Vs.	Deputy Commissioner of Income-tax, Circle-Imphal
Appellant		Respondent

Date of Hearing	13.01.2021
Date of Pronouncement	13.01.2021
For the Appellant	N o n e
For the Respondent	Shri Subhrajyoti Bhattacharya, Addl. CIT, Sr. DR

**ORDER**

This appeal is preferred by the assessee against the order of Ld. CIT(A), Jorhat dated 28-08-2019 for assessment year 2011-12.

2. None appeared on behalf of the assessee. At the outset, it is noticed from the letter of the assessee dated 07.01.2021 that the assessee had opted for Direct Tax Vivad Se Vishwas Scheme, 2020 (hereinafter, the ‘scheme’) and had filed Form-1 & Form-2 before the Competent Authority and is awaiting the issue of Form No. 3 from the Competent Authority. Therefore, taking into consideration the fact that since the assessee has opted for the Scheme for the AY 2011-12, there is no point in keeping the impugned appeal pending.

3. In the light of the aforesaid discussion, I treat this submission of the assessee informing the Tribunal the fact that assessee has opted for the said scheme, therefore, I allow the assessee to withdraw the impugned appeal. In case, if the competent authority as per the scheme does not accept the assessee’s proposal to opt for the Vivad Se Vishwas Scheme, 2020, then the assessee is at liberty to move an application for recalling this order. With the aforesaid caveat, I allow the assessee to withdraw the captioned appeal.

4. Needless to say that my aforesaid action allowing the assessee to withdraw the appeal, will not come in the way of the competent authority of Revenue to accept the assessee's said option/scheme for availing "Vivad Se Vishwas Scheme, 2020".

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 In the result, the appeal of assessee is dismissed as withdrawn.

Order is pronounced in the open court.

Sd/-

(Aby. T. Varkey)  
Judicial Member

Dated: 13.01.2021

JD(Sr.P.S.)

Copy of the order forwarded to:

1. Appellant – Shri Dhruv Mohta, C/o Shah Baheti Chandak & Co., Chartered Accountants, "Shreedham", Arvind Ghosh Marg, Ramdaspath, Akola, Maharashtra-444001.
- 2 Respondent –DCIT, Circle-Imphal
3. CIT(A), Jorhat
4. CIT- Jorhat
5. DR, ITAT, Guwahati

/True Copy,

By order,

Senior Pvt. Secy.