

**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**Hyderabad ‘ A ‘ Bench, Hyderabad**  
*(Through Video Conferencing)*  
**Before Smt. P. Madhavi Devi, Judicial Member**  
**AND**  
**Shri Laxmi Prasad Sahu, Accountant Member**

ITA Nos.2318 & 2319/Hyd/2018		
Assessment Year: 2015-16		
Shri Sanjay Kumar Gupta Hyderabad PAN:ABHPG8039R (Appellant)	Vs.	Dy. Commissioner of Income Tax, Circle 3(2) Hyderabad (Respondent)
Assessee by:	Sri T. Chaitanya Kumar	
Revenue by:	Sri Sunil Kumar Pandey,DR	
Date of hearing:	11/01/2021	
Date of pronouncement:	12/01/2021	

**ORDER**

**Per Smt. P. Madhavi Devi, J.M.**

This is assessee's appeal for the A.Y 2015-16 against the order of the CIT (A)-3, Hyderabad, dated 26.10.2018.

2. At the outset, the Ld. AR submitted before us that the assessee does not want to pursue the appeal as it has already filed forms I & II under the "vivad se vishwas" scheme and its acceptance is awaited. Therefore, consequent to the same, the assessee desires to withdraw the appeal before the Tribunal. Hence it was pleaded, that the appeal of the assessee may be treated as withdrawn.

3. The Ld. DR conceded to the request of the Ld. AR.

4. After hearing both the parties, according to the request of the assessee and its Ld. AR, we hereby allow the appeal of the assessee to be withdrawn. We also make it clear that the assessee shall be at liberty to approach the Tribunal within the stipulated time as provided under the Act, in order to reinstate the appeal, if the application with respect to Vivad se Vishwas scheme is rejected.

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 In the result, appeal of assessee is dismissed as withdrawn.

Order pronounced in the Open Court on 12<sup>th</sup> January, 2021.

<b>Sd/-</b> <b>(LAXMI PRASAD SAHU)</b> <b>ACCOUNTANT MEMBER</b>	<b>Sd/-</b> <b>(P. MADHAVI DEVI)</b> <b>JUDICIAL MEMBER</b>
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Hyderabad, dated 12<sup>th</sup> January, 2021.

***Vinodan/sps***

Copy to:

- 1 Shri Sanjay Kumar Gupta, H.No.16-2-752/52, GA-36 SBH Colony, Gaddinnaram, Hyderabad 500036
- 2 Dy.CIT Circle 3(2) Signature Towers, Opp: Botanical Gardens, Kondapur Hyderabad 50084
- 3 CIT (A)-3 Hyderabad
- 4 Pr. CIT – 3 Hyderabad
- 5 The DR, ITAT Hyderabad
- 6 Guard File

*By Order*