

IN THE INCOME TAX APPELLATE TRIBUNAL
BANGALORE BENCHES “ C ” BENCH: BANGALORE

**BEFORE SHRI N.V. VASUDEVAN, VICE PRESIDENT
AND SHRI CHANDRA POOJARI, ACCOUNTANT MEMBER**

IT(TP)A No.2869/Bang/2017
(Assessment Year : 2013-14)

M/s.NCR Corporation India Pvt. Ltd.,
3rd Floor, 11, Niton Building, Palace Road,
Bangalore-560 052
PAN AAACN 7149L

....Appellant.

Vs.

Assistant Commissioner of Income Tax,
Circle 5(1)(1), Bangalore.

.....Respondent.

Assessee By:	Shri K.R. Vasudevan, Advocate.
Revenue By:	Shri Pradeep Kumar,CIT (D.R)
Date of Hearing :	13.01.2021.
Date of Pronouncement :	13.01.2021.

ORDER

PER SHRI CHANDRA POOJARI, AM :

This appeal at the instance of assessee is directed against the order of Assessing Officer passed u/s. 143(3) r.w.s. 92CA and 144C(13) of the Act Dt.31.10.2017 for the Assessment Year 2013-14.

2. The ld. AR submitted a letter dt.12.01.2021 stating that he has filed an application under the Vivad Se Vishwas Act, 2020. Accordingly, the assessee furnished Certificate in Form 3 as per Vivad Se Vishwas Act, 2020 passed on

31.12.2020. In view of the above, the assessee opted to withdraw the appeal vide his letter dt.12.01.2021 placed in the file.

3. On the other hand, the learned Departmental Representative submitted that the assessee has furnished Form 3 from the Department dt.31.12.2020 and wish to withdraw the appeal and no objection to withdraw the pending appeal before the ITAT.

4. We have heard both the parties and perused the material on record. Since the assessee has opted for Vivad Se Vishwas Act, 2020 and received Form 3 from the Department dt.31.12.2020 and the assessee has already filed the Form 3 under the above said scheme, we are of the view that no purpose will be served in keeping the appeal pending. Accordingly, we dismiss the appeal of the assessee as withdrawn. Further the assessee is at liberty to move appropriate application for recall of the present order in accordance with the law, if the assessee intends to do so.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Pronounced in the Open Court on 13th Jan., 2021.

Sd/-

(N.V. VASUDEVAN)
VICE PRESIDENT

Sd/-

(CHANDRA POOJARI)
ACCOUNTANT MEMBER

Dated: 13.01.2021.

*Reddy GP

Copy to

1. The appellant
2. The Respondent
3. CIT (A)
4. Pr. CIT
5. DR, ITAT, Bangalore.
6. Guard File

By order

Assistant Registrar
Income-tax Appellate Tribunal
Bangalore