

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
DELHI BENCH: 'B' NEW DELHI**

**BEFORE SHRI BHAVNESH SAINI, JUDICIAL MEMBER  
AND  
SHRI O.P. KANT, ACCOUNTANT MEMBER  
[Through Video Conferencing]**

ITA No.1496/Del./2016  
Assessment Year: 2011-12

M/s. SVP Industries Ltd., Mansoorpur, Distt.- Muzaffarnagar, Uttar Pradesh	<b>Vs.</b>	ACIT, Central Circle-19, New Delhi
<b>PAN :AAECS3637C</b>		
<b>(Appellant)</b>		<b>(Respondent)</b>

Appellant by	Shri M.P. Rastogi, Adv.
Respondent by	Shri S.S. Negi, Sr.DR

Date of hearing	14.01.2021
Date of pronouncement	14.01.2021

**ORDER**

**PER O.P. KANT, AM:**

The present appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-30, New Delhi, dated 30.01.2016 passed for assessment year 2011-12.

**3.** At the outset, Shri M.P. Rastogi, Advocate, the learned counsel for the assessee, has requested for withdrawal of the appeal as 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”, for which, he has filed Form No. 1 & 2.

**2.** However, it is submitted by the appellant that the aforesaid be subjected to a caveat that in case the dispute relating to tax arrears for the assessment year under consideration is not ultimately resolved in terms of the aforesaid Scheme, the appellant shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. As the learned DR has no objection with regard to the aforesaid caveat, accordingly, we hold so.

**3.** In view of the aforesaid, the appeal of the assessee is dismissed as withdrawn.

***Order pronounced in the open Court.***

***Sd/-***  
**(BHAVNESH SAINI)**  
**JUDICIAL MEMBER**

***Sd/-***  
**(O.P. KANT)**  
**ACCOUNTANT MEMBER**

Dated: 14<sup>th</sup> January, 2021.

RK/-(D.T.D.S.)

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar, ITAT, New Delhi