

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

**BEFORE SHRI N. K. BILLAIYA, ACCOUNTANT MEMBER
AND
MS SUCHITRA KAMBLE, JUDICIAL MEMBER**

I.T.A. No.2488/DEL/2015 (A.Y 2008-09)

(THROUGH VIDEO CONFERENCING)

Ram Avtar A-100, Ashok Nagar Shahdara New Delhi AEGPA3211H (APPELLANT)	Vs	ACIT Circle-34(1) New Delhi (RESPONDENT)
--	----	--

Appellant by	Sh. C. S. Anand, Adv
Respondent by	Smt. Sushma Singh, CIT DR

Date of Hearing	20.01.2021
Date of Pronouncement	20.01.2021

ORDER

PER SUCHITRA KAMBLE, JM

This appeal is filed by the assessee against order dated 24/03/2015 passed by CIT(A)- XIX, New Delhi for assessment year 2008-09.

2. Before us, the assessee has moved an application dated 19/01/2021, where in it is submitted that the assessee has filed Form No. 1 & 2 in the Direct Tax “ Vivad se Vishwash Scheme” (VSV) Act, 2020 and yet to receive Form No. 3 from the Department.

The assessee, therefore, seeks to withdraw the appeal to which revenue has no objection.

3. In view of the aforesaid facts and after considering the submissions of the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid Act, the assessee shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider the same. Therefore, the appeal of the assessee is dismissed as withdrawn.

4. In the result, appeal of the assessee is dismissed.

Order is pronounced in the open court in presence of both the parties on this 20th Day of January, 2021.

**Sd/-
(N. K. BILLAIYA)
ACCOUNTANT MEMBER**

**Sd/-
(SUCHITRA KAMBLE)
JUDICIAL MEMBER**

Dated: 20 /01/2021
*R. Naheed **

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR

ITAT NEW DELHI