

IN THE INCOME TAX APPELLATE TRIBUNAL "B" BENCH, KOLKATA(समक्ष) श्री पी. एम. जगताप, उपाध्यक्ष एवं श्री ए.टी. वर्की, न्यायिक सदस्य)
[Before Shri P.M. Jagtap, Vice President (KZ) & Shri A. T. Varkey, JM]**I.T.A. No. 1480/Kol/2016**

Assessment Year:2008-09

M/s. Jindal Vinimay Pvt. Ltd. (PAN: AABCJ9604K)	Vs.	Income-tax Officer, ward-4(2), Kolkata.
Appellant		Respondent

Date of Virtual Hearing	15.01.2021
Date of Pronouncement	15.01.2021
For the Appellant	N o n e
For the Respondent	Shri Jayanta Khanra, Addl. CIT

ORDER**Per Bench:**

This appeal has been preferred by the assessee against the order of the Ld.CIT(A)-6, Kolkata dated 11.03.2016 for AY 2008-09. Appeal of appeal is time barred by 28 days. After perusing the condonation petition, we condone the delay and admit the appeal for hearing.

2. None appeared on behalf of the assessee. At the outset, it is noticed from the letter of the Ld. AR of the assessee Shri I. P. Bansal dated 12.01.2021 that the assessee had filed Form 1 and 2 under the Direct Tax Vivad Se Vishwas Act in respect of all these appeals and the competent authority has issued form no. 3, a copy of the said letter along with Form No. 3 is available in file, which is before us. Therefore, taking into consideration the fact that since the assessee has opted for the Scheme for the AY 2008-09, there is no point in keeping the impugned appeal pending. In the light of the aforesaid discussion and the fact that assessee has opted for the said scheme and Form 3 has been issued by the Department, therefore, we allow the assessee to withdraw the impugned appeal.

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 In the result, the appeal of assessee is dismissed as withdrawn.

Order is pronounced in the open court.

Sd/-

(P. M. Jagtap)
Vice President

Sd/-

(Aby. T. Varkey)
Judicial Member

Dated : 15.01.2021

JD(Sr.P.S.)

Copy of the order forwarded to:

1. Appellant – M/s. Jindal Vinimay Pvt. Ltd., 25, Baranashi Ghosh Street, Kolkata 700 007.
- 2 Respondent – ITO, Ward-4(2), Kolkata.
3. CIT(A)-6, Kolkata. (sent through e-mail)
4. CIT, Kolkata
5. DR, ITAT, Kolkata. (sent through e-mail)

/True Copy,

By order,

Assistant Registrar