

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'B' : NEW DELHI  
(Through Video Conferencing)**

**BEFORE SHRI G.S. PANNU, VICE PRESIDENT AND  
SHRI MAHAVIR PRASAD, JUDICIAL MEMBER**

**ITA No.5789/Del/2017  
Assessment Year : 2008-09**

**Assistant Commissioner of  
Income Tax,  
Central Circle-30,  
New Delhi.**

(Appellant)

**Vs. M/s Clitoria Vanijya Pvt.Ltd.,  
RZ-91, 2<sup>nd</sup> Floor, Front Side,  
Gali No.15, Indra Park,  
Uttam Nagar East,  
New Delhi – 110 059.  
PAN : AADCC0223D.**  
(Respondent)

Appellant by : Ms. Nidhi Srivastava, CIT-DR.  
Respondent by : Ms. Akanksha Gupta, Advocate.

Date of hearing : 27.01.2021  
Date of pronouncement : 27.01.2021

**ORDER**

**PER MAHAVIR PRASAD, JM :**

This appeal by the Revenue for the assessment year 2008-09 is directed against the order of learned CIT(A)-30, New Delhi dated 9<sup>th</sup> June, 2017.

2. The learned counsel for the assessee, vide email dated 25<sup>th</sup> January, 2021 has submitted that 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. A certificate to this effect under Section 5(1) of The Direct Tax Vivad Se Vishwas Act, 2020 has also been filed. It was, accordingly prayed for withdrawal of the appeal filed by the Revenue.

3. Learned Senior DR has no objection.
4. In view of the above, the appeal of the Revenue is dismissed as withdrawn, as having become infructuous.
5. In the result, the appeal of the Revenue is dismissed as withdrawn.

Above decision was announced in the presence of both the sides on conclusion of Virtual Hearing on 27<sup>th</sup> January, 2021.

Sd/-  
**(G.S. PANNU)**  
**VICE PRESIDENT**

Sd/-  
**(MAHAVIR PRASAD)**  
**JUDICIAL MEMBER**

VK.

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

Assistant Registrar