

**IN THE INCOME TAX APPELLATE TRIBUNAL  
(DELHI BENCH 'C' : NEW DELHI)**

**BEFORE SHRI N.K. BILLAIYA, ACCOUNTANT MEMBER  
and  
SHRI KULDIP SINGH, JUDICIAL MEMBER**

**(THROUGH VIDEO CONFERENCE)**

**ITA No.4733/Del./2013  
(ASSESSMENT YEAR : 2008-09)**

M/s. HBN Housing Finance Ltd., vs. ACIT, Central Circle 4,  
B – 53, B – 1, Community Centre, New Delhi.  
Janakpuri,  
New Delhi.

**(PAN : AABCH3930J)**

**ITA No.4573/Del./2013  
(ASSESSMENT YEAR : 2008-09)**

ACIT, Central Circle 4, vs. M/s. HBN Housing Finance Ltd.,  
New Delhi. B – 53, B – 1, Community Centre,  
Janakpuri,  
New Delhi.

**(PAN : AABCH3930J)**

**(APPELLANT)**

**(RESPONDENT)**

**ASSESSEE BY : Ms. Gunjan Jain, CA**

**REVENUE BY : Shri Rajesh Kumar, Senior DR**

**Date of Hearing : 28.01.2021**

**Date of Order : 28.01.2021**

**ORDER**

**PER KULDIP SINGH, JUDICIAL MEMBER :**

Appellants, M/s. HBN Housing Finance Ltd. (hereinafter referred to as 'the assessee') and ACIT, Central Circle – 4, New Delhi (hereinafter referred to as 'the Revenue'), in ITA

Nos.4733/Del/2013 & 4573/Del/2013 respectively, by filing the present appeals, sought to set aside the impugned order dated 01.04.2013 passed by Ld. Commissioner of Income-tax (Appeals)-XXXIII, New Delhi qua the assessment year 2008-09.

2. Ld. Counsel for the assessee filed an application in ITA No.4573/Del/2013 stating therein 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” and has filed necessary Forms 1 & 2 with the Tax Department.

3. Keeping in view the aforesaid facts, appeal being ITA No.4573/Del/2013 is hereby dismissed with liberty to get it restored by the Revenue in case dispute is not settled as per scheme. The Revenue has no objection with regard to the aforesaid caveat. Consequently, the present appeal (ITA No.4573/Del/2013) is dismissed to enable the parties to opt for “Vivad Se Vishwas Scheme, 2020”.

4. Since both the appeals are interconnected having been emanated from the same impugned order passed by the Id. CIT (A) qua the subject matter of which parties opted for the Scheme, the second appeal (ITA No.4733/Del/2013) filed by the assessee has also become infructuous on filing application in the appeal (ITA No.4573/Del/2013) for settling the dispute under “Vivad Se

Vishwas Scheme, 2020”, hence dismissed. However, the assessee as well as the Revenue would have the liberty to get both the appeals (ITA No.4733/Del/2013 & ITA No.4573/Del/2013) restored in case dispute is not settled as per the scheme.

5. Resultantly, both the aforesaid appeals are dismissed.

**Order pronounced in open court on this 28<sup>th</sup> day of January, 2021 after the conclusion of the virtual hearing.**

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

sd/-  
**(KULDIP SINGH)**  
**JUDICIAL MEMBER**

**Dated the 28<sup>TH</sup> day of January, 2021**  
**TS**

Copy forwarded to:

- 1.Appellant
- 2.Respondent
- 3.CIT
- 4.CIT(A)-XXXIII, New Delhi.
- 5.CIT(ITAT), New Delhi.

AR, ITAT  
NEW DELHI.