

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCHES "A & B" : HYDERABAD
(THROUGH VIDEO CONFERENCE)**

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER
AND
SHRI LAXMI PRASAD SAHU, ACCOUNTANT MEMBER**

ITA No.	A.Y.	Appellant	Respondent
326/Hyd/19	2010-11	Mohd. Muneeruddin, Hyderabad [PAN: AHUPM8305R]	Asst. Commissioner of Income Tax (OSD), Ward-9(2), Hyderabad
1224/Hyd/19	2010-11	Devambari Gangajinnaram, Hyderabad [PAN: AIHPG2825J]	ITO, Ward-7(2), Hyderabad
664/Hyd/20	2010-11	Smt.Vijayalaxmi Morlawar, Secunderabad [PAN: AFWPM5860K]	Income Tax Officer, Ward-10(2), Hyderabad
665/Hyd/20	2010-11	Srikanth Morlawar, Secunderabad [PAN: AOPPS9982N]	
976/Hyd/19	2011-12	Venkata Subbarao Yadlapati, Hyderabad [PAN: ABAPY7376A]	DCIT, Circle-3(1), Hyderabad
1470/Hyd/18	2014-15	Harsh Gupta, Hyderabad [PAN: AMLPG0933H]	Income Tax Officer, Ward-5(3), Hyderabad
505/Hyd/18	2014-15	Preeti Gupta, Hyderabad [PAN: ACSPG1889R]	
713/Hyd/19	2015-16	Kiran Bhangadia, Hyderabad [PAN: AENPB4185L]	Income Tax Officer, Ward-5(1), Hyderabad

For Assessee : Shri Mohd. Afzal, Shri Kumar Pal,
Shri K.C.Devdas, Shri A.V.Raghu Ram, ARs

For Revenue : Shri Sunil Kumar Pandey, DR

Date of Hearing : 21-01-2021

Date of Pronouncement : 27-01-2021

ORDER

PER BENCH :

These five assessee's appeals are directed against different orders of the Commissioner of Income Tax (Appeals)-Hyderabad, for AYs.2008-09 and 2009-10.

2. At the outset, we are informed during the course of hearing from the assessee's side that they have filed for settlement benefit under the 'Direct Tax Vivad Se Viswas Scheme-2020' in prescribed Form No.1 & 2 and Form(s)-3 in tune thereto; also stand issued.

3. The assessee's sole identical plea in all these cases is that since the department is yet to finalise the settlement in tune with Form(s)-3 issued under the scheme, these appeals may not be dismissed as withdrawn as on date. We find no merit in assessee's contentions *per se*. The fact remains that they have already been issued Form(s)-3, no purpose would be served if all these cases are kept pending. We therefore order that these appeals be treated as dismissed as withdrawn with a rider that it shall be very much open for all assessee's to file for revival of these cases, if the settlement benefit under the scheme is denied to them for technical reasons.

4. All these cases are dismissed as withdrawn in above terms. A copy of this common order be placed in the respective case files.

Order pronounced in the open court on the 27th January, 2021

Sd/-
(LAXMI PRASAD SAHU)
ACCOUNTANT MEMBER

Hyderabad, Dated: 27-01-2021

TNMM

Sd/-
(S.S.GODARA)
JUDICIAL MEMBER

Copy to :

- 1.Mohd. Muneeruddin, C/o. Mohd. Afzal, Advocate, #402, Sherson's Residency, 11-5-465, Criminal Court Road, Red Hills, Hyderabad.*
- 2.Devambari Gangajinnaram, 13-1-94/1, Aziz Bagh, Sita Ram Bagh, Hyderabad.*
- 3.Smt. Vijayalaxmi Morlawar, House No.63, Sindhi Colony, S.P.Road, Secunderabad.*
- 4.Srikanth Morlawar, House No.63, Sindhi Colony, S.P.Road, Secunderabad.*
- 5.Venkata Subba Rao Yadlapati, 1-B (New-618), Arora Colony, Road No.3, Banjara Hills, Hyderabad.*
- 6.Harsh Gupta, 5-8-555/1, 1st Floor, Abids Road, Hyderabad.*
- 7.Preeti Gupta, 5-8-555/1, 1st Floor, Abids Road, Hyderabad.*
- 8.Sri Kiran Bhangadia, 4-7-361, Esamiya Bazar, Hyderabad.*
- 9.Dy.Commissioner of Income Tax, Circle-3(1), Hyderabad.*
- 10.Asst.Commissioner of Income Tax (OSD), Ward-9(2), Hyderabad.*
- 11.Income Tax Officer, Ward-7(2), Hyderabad.*
- 12.Income Tax Officer, Ward-10(2), Hyderabad.*
- 13.Income Tax Officer, Ward-5(3), Hyderabad.*
- 14.Income Tax Officer, Ward-5(1), Hyderabad.*
- 15.CIT(Appeals)-7, Hyderabad.*
- 16.CIT(Appeals)-3, Hyderabad.*
- 17.CIT(Appeals)-6, Hyderabad.*
- 18.CIT(Appeals)-4, Hyderabad.*
- 19.The Pr.CIT-7, Hyderabad.*
- 20.The Pr.CIT-3, Hyderabad.*
- 21.The Pr.CIT-1, Hyderabad.*
- 22.The Pr.CIT-4, Hyderabad.*
- 23.D.R. ITAT, Hyderabad.*
- 24.Guard File.*