

**IN THE INCOME TAX APPELLATE TRIBUNAL DELHI
BENCH 'I-2', NEW DELHI**

**BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER
AND SH. K. NARASIMHA CHARY, JUDICIAL MEMBER**

(THROUGH VIDEO CONFERENCING)

IT(TP)A No.10/Bang/2015 for A.Y. 2009-10
IT(TP)A No.837/Bang/2014 for A.Y. 2008-09

Oracle India Pvt. Ltd., (successor in interest for BEA Systems India Technology Centre Pvt. Ltd.) F01/02, First Floor, Plot No. D-1, Salcon Rasvillas, District Centre Saket, New Delhi-110017 PAN No. AACCB 2736 K (APPELLANT)	Vs.	DCIT Circle – 11(2), Bangalore. (RESPONDENT)
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Assessee by	Shri Anubhav Rastogi, Adv.
Revenue by	Shri Sunil Kumar, CIT-DR

Date of hearing:	01/02/2021
Date of Pronouncement:	01/02/2021

ORDER

PER K. NARASIMHA CHARY, JM :

Both the appeals by the assessee are preferred against the order of the Commissioner of Income Tax (Appeals)-IV, Bangalore dated 07.11.2014 & 10.03.2014 pertaining to A.Y. 2009-10 & 2008-09.

2. Before us, assessee has moved an application dated 30th Jan 2021 wherein the assessee has stated that it has opted for Vivad Se Vishwas (VSV) 2020 and has filed the declaration (Form-1) and undertaking (Form-2) Scheme and Designated Authority is yet to issue certificate in Form-3.

3. After considering the request made by the assessee, we dismiss the appeals of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 appeals and the Tribunal shall consider such application appropriately as per law. With these directions, **both the appeals of the assessee are dismissed as withdrawn.**

4. **In the result, both the appeals of the assessee are dismissed.**

Order pronounced in the open court on 01.02.2021, immediately after conclusion of the hearing of the matter in virtual mode.

Sd/-

Sd/-

**(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

**(K. NARASIMHA CHARY)
JUDICIAL MEMBER**

Date:- 01.02.2021

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

ASSISTANT REGISTRAR
ITAT NEW DELHI