

**INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "SMC-1": NEW DELHI**

**BEFORE SHR BHAVNESH SAINI, JUDICIAL MEMBER
AND
SHRI PRASHANT MAHARISHI, ACCOUNTANT MEMBER
(Through Video Conferencing)**

ITA No. 4831/Del/2019
(Assessment Year: 2013-14)

M/s. BSS Buildcon Pvt. Ltd., M-133, Greater Kailash, Part-II, New Delhi - 110 048. PAN: AACCB6435F	Vs.	ITO, Ward-5 (2), New Delhi
(Appellant)		(Respondent)

Assessee by :	Shri Rajat Kalsi, C.A.;
Department by :	Shri Rajesh Kumar, Sr. DR;
Date of Hearing	03/02/2021
Date of pronouncement	03/02/2021

ORDER

PER PRASHANT MAHARISHI, A. M.

1. This appeal is filed by the assessee against the order of the Id. Commissioner of Income Tax (Appeals)-13, New Delhi, dated 17.08.2018 under Section 271(1)(c) of the Income Tax Act, 1961 (the Act) for the Assessment Year 2013-14.
2. At the time of hearing the assessee submitted a letter dated 01.02.2021 withdrawing the present appeal. It is further stated in the letter that the assessee's quantum appeal bearing ITA. No. 6409 (Del) of 2018 pertaining to Assessment Year 2013-14 is pending before the Tribunal and assessee has filed Form Nos. 1 and 2 under Vivad Se Vishwas Scheme, 2020 to settle the tax dispute in ITA 6409 (Del) of 2018. Form No. 3 has also been received by the company, hence penalty is ought to be waived off in the present appeal.
3. In view of the above facts and after the consent of the Id. DR the above appeal is treated as withdrawn.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 03/02/2021.

Sd/-
(BHAVNESH SAINI)
JUDICIAL MEMBER

Sd/-
(PRASHANT MAHARISHI)
ACCOUNTANT MEMBER

Dated : 03/02/2021.

MEHTA

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

ASSISTANT REGISTRAR
ITAT, New Delhi

Date of dictation	3.02.2021
Date on which the typed draft is placed before the dictating member	3.02.2021
Date on which the typed draft is placed before the other member	3.02.2021
Date on which the approved draft comes to the Sr. PS/ PS	3.02.2021
Date on which the fair order is placed before the dictating member for pronouncement	3.02.2021
Date on which the fair order comes back to the Sr. PS/ PS	3.02.2021
Date on which the final order is uploaded on the website of ITAT	3.02.2021
date on which the file goes to the Bench Clerk	3.02.2021
Date on which the file goes to the Head Clerk	
The date on which the file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the order	