

**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)

ITA No.3611/Del/2016 (for Assessment Year 2010-11)

Kendle India Pvt. Ltd. 14 th Floor, Tower-B, Building No.14, DLF Cyber City, Phase-II Gurgaon-122 002 PAN No. AACCK 4960 A	Vs.	DCIT Circle – 1(1), Gurgaon.
(APPELLANT)		(RESPONDENT)

Assessee by	Sh. T. D. Singh, Adv. Sh. Navnit Kumar, Adv.
Revenue by	Adjournment Application

Date of hearing:	04/02/2021
Date of Pronouncement:	04/02/2021

ORDER

PER K. NARASIMHA CHARY, JM:

This appeal filed by the assessee is directed against the order dated 18.03.2016 passed by the Commissioner of Income Tax (Appeals)-1, Gurgaon relating to Assessment Year 2010-11.

2. Before us, assessee has moved an application 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 Form -3 has been received. He therefore submitted that assessee be allowed to withdraw the appeal to which Ld. D.R. has no objection.

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 After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions **the appeal of the assessee is dismissed as withdrawn.**

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

Order pronounced in the open court on 04.02.2021, immediately after conclusion of the hearing of the matter in virtual mode.

Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER

Date:- 04.02.2021

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Copy forwarded to:

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

Sd/-
(K. NARASIMHA CHARY)
JUDICIAL MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI