

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: 'E' NEW DELHI**

**BEFORE SHRI MAHAVIR PRASAD, JUDICIAL MEMBER
AND
SHRI O.P. KANT, ACCOUNTANT MEMBER
[Through Video Conferencing]**

ITA No. 6370/Del./2016
Assessment Year: 2008-09

M/s. MGF Development Ltd., 4/17B, MGF House, Asaf Ali Road, New Delhi	Vs.	DCIT, Central Circle-7, New Delhi
PAN :AAACM8146J		
(Appellant)		(Respondent)

Appellant by	Shri Arta Trana Panda, Adv.
Respondent by	Ms. Pramita M. Biswas, CIT(DR)

Date of hearing	02.02.2021
Date of pronouncement	02.02.2021

ORDER

PER O.P. KANT, AM:

This appeal by the assessee is directed against the order of learned Commissioner of Income Tax (Appeals)-I, New Delhi, dated 14.03.2012 passed for assessment year 2008-09.

- 2.** We have heard both the parties through Video Conferencing.
- 3.** At the outset, the learned counsel for the assessee has requested for withdrawal of the appeal as 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” for which, he has filed Form No 1 & 2 and Form No. 3 is awaited.

2. However, it is submitted by the appellant that the aforesaid be subjected to a caveat that in case the dispute relating to tax arrears for the assessment year under consideration is not ultimately resolved in terms of the aforesaid Scheme, the appellant shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. As the learned DR has no objection with regard to the aforesaid caveat, accordingly, we hold so.

3. In view of the aforesaid, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court.

Sd/-
(MAHAVIR PRASAD)
JUDICIAL MEMBER

Sd/-
(O.P. KANT)
ACCOUNTANT MEMBER

Dated: 2nd February, 2021.

RK/-(D.T.D.S.)

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi