

आयकर अपीलीय अधिकरण, जयपुर न्यायपीठ, जयपुर
IN THE INCOME TAX APPELLATE TRIBUNAL, JAIPUR BENCHES "B", JAIPUR
श्री संदीप गोसाई, न्यायिक सदस्य एवं श्री विक्रम सिंह यादव, लेखा सदस्य के समक्ष
BEFORE SHRI SANDEEP GOSAIN, JM & SHRI VIKRAM SINGH YADAV, AM

आयकर अपील सं./ITA No. 511/JP/2019
निर्धारण वर्ष / Assessment Year :2010-11

Shri Dinesh Kumar Soni, 555, Risi Galav Nagar, Galta Gate, Jaipur.	बनाम Vs.	I.T.O., Ward-5(4), Jaipur.
स्थायी लेखा सं./जीआईआर सं./PAN/GIR No.: CBMPS 2360 E		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

निर्धारिती की ओर से / Assessee by : Shri Shyam Sunder Jangid(Adv)
राजस्व की ओर से / Revenue by: Smt. Monisha Choudhary(Addl.CIT)

सुनवाई की तारीख / Date of Hearing : 09/02/2021
उदघोषणा की तारीख / Date of Pronouncement : 10/02/2021

आदेश / ORDER

PER: SANDEEP GOSAIN, J.M.

This appeal has been filed by the assessee against the order of the Id. CIT(A)-2, Jaipur dated 22/02/2019 for the A.Y. 2010-11.

2. The hearing of the appeal was concluded through video conference in view of the prevailing situation of Covid-19 Pandemic.
3. The Id. Counsel for the assessee furnished application for withdrawal of this appeal. The contention made in the said application reads as under:

"The appellant request that the case is fixed for hearing on 09/02/2021 but the appellant wants to withdraw the appeal because certificate of settlement in Form No.3 received from the

PCIT-2, Jaipur and filed Form No.4 to the IT Department both forms are being enclosed herewith for necessary action in this regard.

The IT department already recovered whole demand before appealed the matter, now excess recovered tax is refundable to the appellant. Therefore, we humble request before your honor to do needful action. Thanks.

Sh. Dinesh Kumar Soni

(Shyam Sunder Jangid)"

4. The Id DR has raised no objection if the appeal of the assessee is allowed to be withdrawn.

5. Therefore, in view of the fact that the assessee has already approached the department to settle the matter under Vivad Se Vishwas scheme, we permit the assessee to withdraw his appeal. Accordingly, the appeal of the assesses is dismissed as withdrawn.

6. In the result, this appeal of the assessee is dismissed.

Order pronounced in the open court on 10th February, 2021.

Sd/-

(विक्रम सिंह यादव)
(VIKRAM SINGH YADAV)
लेखा सदस्य / Accountant Member

Sd/-

(संदीप गोसाईं)
(SANDEEP GOSAIN)
न्यायिक सदस्य / Judicial Member

जयपुर / Jaipur

दिनांक / Dated:- 10/02/2021

*Ranjan

आदेश की प्रतिलिपि अग्रेषित / Copy of the order forwarded to:

1. अपीलार्थी / The Appellant- Shri Dinesh Kumar Soni, Jaipur.
2. प्रत्यर्थी / The Respondent- The ITO, Ward-5(4), Jaipur.
3. आयकर आयुक्त / CIT
4. आयकर आयुक्त(अपील) / The CIT(A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, जयपुर / DR, ITAT, Jaipur
6. गार्ड फाईल / Guard File (ITA No. 511/JP/2019)

आदेशानुसार / By order,

सहायक पंजीकार / Asst. Registrar