

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH: 'SMC-2' NEW DELHI**

**BEFORE SHRI N. K. BILLAIYA, ACCOUNTANT MEMBER
AND
MS SUCHITRA KAMBLE, JUDICIAL MEMBER**

I.T.A. No. 4622 /DEL/2019 (A.Y 2009-10)

&

I.T.A. No. 4623/DEL/2019 (A.Y 2010-11)

(THROUGH VIDEO CONFERENCING)

Jagat Ploymers Pvt. Ltd. 45, Raj Nagar Enclave, Pitampura, New Delhi AABCJ4097L (APPELLANT)	Vs	ITO Ward-13(1)Room NO. 321, 3 rd Floor, C. R. Building New Delhi (RESPONDENT)
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Appellant by	Sh. K. Prasanna, Adv
Respondent by	Sh. Farhat Kha, Addl. CIT (DR)

Date of Hearing	24.02.2021
Date of Pronouncement	24.02.2021

ORDER

PER SUCHITRA KAMBLE, JM

These two appeals are filed by the assessee against the order dated 29/03/2019 passed by the CIT(A)-36, New Delhi for Assessment Year 2009-10 & 2010-11 respectively.

2. Before us, the Ld. AR submitted that the assessee has moved an application to resolve the pending issue through Direct Tax "Vivad se Vishwash Scheme" (VSV) Act, 2020, and has filed Declaration Form No. 1 & 2 and awaited for Form No. 3.

3. In view of the aforesaid facts and after considering the submissions of the assessee, we dismiss the appeals of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 both the appeals and the Tribunal shall consider the same. The appeals of the assessee are dismissed as withdrawn.

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

Order pronounced in the open court in presence of both the parties on this 24th day of February, 2021.

Sd/-
(N. K. BILLAIYA)
ACCOUNTANT MEMBER

Sd/-
(SUCHITRA KAMBLE)
JUDICIAL MEMBER

Dated: 24/02/2021
*R. Naheed **

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI

