

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "F" NEW DELHI**

**BEFORE SHRI AMIT SHUKLA, JUDICIAL MEMBER
AND
SHRI B.R.R. KUMAR, ACCOUNTANT MEMBER**

I.T.A. No.3061/DEL/2016
Assessment Year: 2011-2012

M/s. R.S. Sharma Contractors Pvt. Ltd., C-3/60, Janak Puri, New Delhi.	vs.	DCIT, Circle-15(1), New Delhi.
TAN/PAN: AAACR0571N		
(Appellant)		(Respondent)

Appellant by:	Shri Divyanshu Agarwal, Adv.		
Respondent by:	Shri Apoorva Bhardwaj, Sr.D.R.		
Date of hearing:	04	02	2021
Date of pronouncement:	04	02	2021

ORDER

PER AMIT SHUKLA, JM

The aforesaid appeal has been filed by the assessee against the impugned order dated 28.03.2016, passed by Ld. Commissioner of Income Tax (Appeals)-XVI, New Delhi for the Assessment Year 2012-13.

2. The ld. counsel for the assessee, vide its letter dated 31st January, 2021 has intimated the Tribunal that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under the Vivad se Vishwas Act, 2020 (in short 'the Act') and requested for withdrawal of the said appeal.

3. Considering the aforesaid situation, the captioned appeal is consigned to records and treated as dismissed.

4. However, the aforesaid is 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 aforestated Act, the appellant (i.e., 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. The respondent (i.e., the Revenue) has no objection with regard to the aforesaid caveat.

5. In view of the aforesaid, the appeal is consigned to record and, for statistical purposes, is treated as dismissed.

Above decision was announced on conclusion of Virtual Hearing in the presence of both the parties on February, 2021.

Sd/-

[B.R.R. KUMAR]

[ACCOUNTANT MEMBER]

DATED: 04/02/2021

PKK:

Sd/-

[AMIT SHUKLA]

JUDICIAL MEMBER