

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCHES "A" : HYDERABAD
(THROUGH VIDEO CONFERENCE)**

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER
AND
SHRI L.P. SAHU, ACCOUNTANT MEMBER**

**ITA No. 2202/Hyd./18
A.Y. 2009-10**

Sh. Vanam Purushotham
Bhongiri

vs. ITO, Ward 1, Suryapet

[PAN: AILPV9393A]

(Appellant)

(Respondent)

For Assessee : Smt. S. Sandhya, AR
For Revenue : Shri Sunil Kumar Pandey, DR

Date of Hearing : 02-02-2021
Date of Pronouncement : 25 -02-2021

ORDER

PER BENCH :

This assessee's appeal for AY.2009-10 arises against the CIT(A)-9, Hyderabad's order dated 06.08.2018 passed in case No. 10157/2018-19 in proceedings u/s 143(3) rws 147 of the Income Tax Act, 1961 [the Act, for short].

2. At the outset, we are informed during the course of hearing from the assessee's side that although they have filed for settlement benefit under the 'Direct Tax Vivad Se Viswas Scheme-2020' by way of Form No.1 & 2 but Form-3 is yet to be issued from the department side in view thereof.

3. The assessee's sole identical plea in both these cases therefrom is that since the department is yet to finalise his settlement pleas, this appeal may not be dismissed as withdrawn as on date. We find no merit in assessee's

above stated contention *per se*. The fact remains that the assessee has already filed for settlement benefit and therefore, no purpose would be served if this appeal is kept pending till the time the above stated settlement scheme is in operation. We dismiss this appeal as withdrawn and further make it clear that it shall be open for the assessee to file for revival of his case if the settlement benefit is denied to him for technical reasons. Ordered accordingly.

4. This assessee's appeal is dismissed as withdrawn in above terms. A copy of this common order be placed in the case file.

Order pronounced in the open court on 25th February, 2021.

Sd/-

(L.P. SAHU)
ACCOUNTANT MEMBER

Sd/-

(S.S.GODARA)
JUDICIAL MEMBER

Dated: 25th February, 2021

*gmv

Copy of the order forwarded to:

1. Shri Vanam Purushotham, H.No.6-148, Yellanki (V), Ramannapet (M), Suryapet 508 113
2. ITO, Ward 1, Suryapet
3. ACIT, Range 7, Hyd.
4. Pr.CIT-3, Hyderabad
5. CCIT, AP & TS, Hyderabad
6. CIT(A)-9, Hyderabad
7. DR ITAT
8. Guard File