

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

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER
AND
SHRI LAXMI PRASAD SAHU, ACCOUNTANT MEMBER**

I.T.A. No. 1575/HYD/2018

Assessment Year: 2012-13

Venkat Homes Private
Limited,
HYDERABAD
[PAN: AAACV8177E]

Income Tax Officer,
Vs Ward-17(3),
HYDERABAD

(Appellant)

(Respondent)

For Assessee : Shri Phanindra Susarla, AR
For Revenue : Shri Sunil Kumar Pandey, DR

Date of Hearing : 03-02-2021

Date of Pronouncement : 25-02-2021

ORDER

PER BENCH :

This assessee's appeal for AY.2012-13 arises from the CIT(A)-5, Hyderabad's order dated 06-06-2018 passed in appeal No.0314/2017-18/CIT(A)-5, in proceedings u/s. 271(1)(c) of the Income Tax Act, 1961 [in short, 'the Act'].

2. At the outset, we are informed during the course of hearing that the assessee has filed for settlement benefit under the 'Direct Tax Vivad Se Viswas Scheme-2020' in prescribed Form No.1 & 2 and Form(s)-3 in tune thereto; also stand issued.

3. The assessee's sole identical plea in this case is that since the department is yet to finalise the settlement in tune

with Form(s)-3 issued under the scheme, this appeal may not be dismissed as withdrawn as on date. We find no merit in assessee's contentions *per se*. The fact remains that the assessee has already been issued Form(s)-3, no purpose would be served if this case is kept pending. We therefore order that this appeal be treated as dismissed as withdrawn with a rider that it shall be very much open for the assessee to file for revival of this case, if the settlement benefit under the scheme is denied to it for technical reasons.

4. This assessee's appeal is dismissed as withdrawn in above terms.

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

Sd/-
(LAXMI PRASAD SAHU)
ACCOUNTANT MEMBER

Hyderabad,
Dated: 25-02-2021

TNMM

Sd/-
(S.S.GODARA)
JUDICIAL MEMBER

Copy to :

1.Venkat Homes Private Limited, C/o.M/s.Mahesh, Virender & Sriram, Chartered Accountants, 6-3-788/36 & 37A, Ameer Pet, Hyderabad.

2.The Income Tax Officer, Ward-17(3), Hyderabad.

3.CIT(Appeals)-5, Hyderabad.

4.Pr.CIT-5, Hyderabad.

5.D.R. ITAT, Hyderabad.

6.Guard File.