

**IN THE INCOME TAX APPELLATE TRIBUNAL  
(DELHI BENCH: 'B': NEW DELHI)  
(THROUGH VIDEO CONFERENCING)**

**BEFORE SH. KUL BHARAT, JUDICIAL MEMBER  
AND  
SHRI ANADEE NATH MISSHRA, ACCOUNTANT MEMBER**

**ITA No :- 6118/Del/2017  
(Assessment Year: 2013-14)**

M/s. Concept Studio (India) Pvt. Ltd. 7 Harcharan Bagh, Andheria Morh Mehrauli, New Delhi-110030	Vs.	DCIT, Circle-6(2), New Delhi
<b>APPELLANT</b>		<b>RESPONDENT</b>
<b>PAN No: AAACP5431H</b>		

**Revenue By** : None  
**Assessee By** : Balendu, Inst.

**PER ANADEE NATH MISSHRA, A.M.:**

This appeal by Assessee is filed against the order of Learned Commissioner of Income Tax (Appeals)-15, New Delhi, ["Ld. CIT(A)", for short], dated 19.06.2017 for Assessment Year 2013-14. Grounds taken in this appeal of Assessee are as under:

*"1. That the Learned CIT (Appeals)-XV has erred in confirming penalty of Rs. 20,76,450/- u/s 271(1)(c) of the Act having regard to the facts and circumstances of the case.*

*2. That the order was against the law and facts of the case.*

*3. That the appellant craves the leave to add, modify, amend or delete any or all of the Grounds of appeal at or before the hearing and all the above grounds are without prejudice to each Other."*

**(B)** At the time of hearing, at the outset, the learned Counsel for the Assessee informed us that the assessee has opted to settle the appeal under Vivad Se Vishwas Scheme, 2020 ("VSVS", for short) and that the assessee has already filed the relevant forms. The Ld. Counsel for assessee also drew our attention to letter dated 25<sup>th</sup> February, 2021 filed in Income Tax Appellate Tribunal ("ITAT", for short) giving intimation for the same, and requesting to withdraw the appeal.

**(B.1)** At the time of hearing before us, the Ld. Counsel for assessee submitted before us that this appeal may be treated as withdrawn and may be dismissed on account of the aforesaid VSVS. After due consideration, and in view of the foregoing; we are of the view that this appeal has become infructuous, and we treat this appeal as withdrawn on account of the aforesaid VSVS. Accordingly, this appeal having become infructuous, are hereby dismissed as withdrawn, subject to settlement of the disputes in the appeal under the aforesaid VSVS.

**(C) Before we part, we hereby clarify, by way of abundant caution, that if for some reason the disputes under this appeal before us are not settled under the aforesaid VSVS, then the assessee will be at liberty to approach ITAT for restoration of this appeal, in accordance with law.**

**(D)** In the result, this appeal is dismissed.

Order pronounced in open court on 01/03/2021

**Sd/-**  
**(KUL BHARAT)**  
**JUDICIAL MEMBER**

**Sd/-**  
**(ANADEE NATH MISSHRA)**  
**ACCOUNTANT MEMBER**

Dated: 01/03/2021

\*Binita\*

Copy forwarded to:

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

ASSISTANT REGISTRAR  
ITAT NEW DELHI