

IN THE INCOME TAX APPELLATE TRIBUNAL  
“C” BENCH : BANGALORE

BEFORE SHRI CHANDRA POOJARI, ACCOUNTANT MEMBER  
AND SMT. BEENA PILLAI, JUDICIAL MEMBER

ITA No. 326 & 327/Bang/2020
Assessment years : 2009-10 & 2010-11

Late Sri Suresh Sharma represented by L/R Smt. Chandra Sharma, No.3, Tarikunj', 7th Cross, Ashok Nagar, Basavangudi, Opp. Karthik Nethralaya, Bengaluru — 560 050. <b>PAN: ABXPS 2091M</b>	Vs.	The Assistant Commissioner of Income Tax, Circle 5(2)(1), Bengaluru.
APPELLANT		RESPONDENT

Appellant by	:	Shri Pranav Krishna, Advocate
Respondent by	:	Shri Mathivanan, CIT(DR)(ITAT), Bengaluru.

Date of hearing	:	02.03.2021
Date of Pronouncement	:	02.03.2021

**ORDER**

*Per Chandra Poojari, Accountant Member*

These appeals by the assessee are directed against the separate orders, both dated 27.12.2018 of CIT(Appeals)-5, Bengaluru relating to assessment years 2009-10 & 2010-11 respectively.

2. During the course of hearing of the appeals, the Id. counsel for the assessee stated that the assessee has opted for Vivad Se Vishwas Scheme Act (VSVS), 2020 by filing the necessary applications. Issue of Form 3 by the department is awaited. The Bench pointed out that the Bangalore Benches in such cases is dismissing the appeal as withdrawn,

with liberty to seek recall of the order, to which the Id. counsel for the assessee agreed. Accordingly, the appeal is dismissed as withdrawn. However, the assessee is at liberty to seek recall of this order in the event of non-receipt of Form No.3, or for any such reason under the VSVS.

3. In the result, the appeals are dismissed as withdrawn.

Pronounced in the open court on this 02<sup>nd</sup> day of February, 2021.

Sd/-

Sd/-

( BEENA PILLAI )  
JUDICIAL MEMBER

( CHANDRA POOJARI )  
ACCOUNTANT MEMBER

Bangalore,  
Dated, the 02<sup>nd</sup> March, 2021.

*/Desai S Murthy/*

Copy to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR, ITAT, Bangalore.

By order

Assistant Registrar  
ITAT, Bangalore.