

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: 'A' NEW DELHI**

**BEFORE SHRI KULBHARAT, JUDICIAL MEMBER
AND
SHRI O.P. KANT, ACCOUNTANT MEMBER
[Through Video Conferencing]**

ITA No.498/Del/2018
Assessment Year: 2011-12

ACIT Circle – 4 (2) New Delhi	Vs.	Bharti Hexacom Ltd. Bharti Crescent -1, Nelson Mandela Road, Vasant Kunj, Phase-II, New Delhi
(Appellant)		(Respondent)

Appellant by	Sh. Satpal Gulati, CIT DR
Respondent by	None

Date of hearing	24.02.2021
Date of pronouncement	02.03.2021

ORDER

PER O.P. KANT, AM:

This appeal by the revenue is directed against the order of learned Commissioner of Income Tax (Appeals)-2, New Delhi, dated 01.09.2017 passed for assessment year 2011-12.

2. The assessee has settled the matter under the “Vivad Se Vishwas Scheme, 2020”. He, therefore, seeks permission to treat the appeal as deemed to be withdrawn under the provisions of Direct Tax Vivad Se Vishwas Act, 2020. The assessee has also

filed a copy of Form No. 3 issued by the respective Principal Commissioner of Income Tax, which is placed on file.

3. We have heard learned DR through Video Conferencing and have perused Form No. 3 issued by Income-tax Department with reference to present appeal. For ready reference, Section 4(2) of the Direct Tax Vivad Se Vishwas Act (supra) reads as under:

“4. (1)

(2) Upon the filing the declaration, any appeal pending before the Income-tax Appellate Tribunal or Commissioner (Appeals), in respect of the disputed income or disputed interest or disputed penalty or disputed fee and tax arrear shall be deemed to have been withdrawn from the date on which certificate under sub-section (1) of section 5 is issued by the designated authority.”

4. In view of the above, as the Form No. 3 has been issued in the case of the assessee, the appeal of the Revenue is deemed to be withdrawn. Hence, the appeal is dismissed as withdrawn.

Order pronounced in the open court on 2nd March, 2021.

Sd/-
(KULBHARAT)
JUDICIAL MEMBER

Sd/-
(O.P. KANT)
ACCOUNTANT MEMBER

Dated: 02.03.2021

Neha

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi

Sl. No.	Particulars	Date
1.	Date of dictation:	24.02.2021
2.	Date on which the draft of order is placed before the Dictating Member:	24.02.2021
3.	Date on which the draft of order is placed before the other Member:	02.03.2021
4.	Date on which the approved draft of order comes to the Sr. PS/PS:	02.03.2021
5.	Date of which the fair order is placed before the Dictating Member for pronouncement:	02.03.2021
6.	Date on which the final order received after having been signed/pronounced by the Members:	02.03.2021
7.	Date on which the final order is uploaded on the website of ITAT:	02.03.2021
8.	Date on which the file goes to the Bench Clerk	02.03.2021
9.	Date on which files goes to the Head Clerk:	
10.	Date on which file goes to the Assistant Registrar for signature on the order:	
11.	Date of dispatch of order:	