

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'SMC-2', NEW DELHI**

**BEFORE SH. N. K. BILLAIYA, ACCOUNTANT MEMBER  
AND  
MS. SUCHITRA KAMBLE, JUDICIAL MEMBER  
(THROUGH VIDEO CONFERENCING)**

ITA No.5126/Del/2019  
Assessment Year: 2009-10

<b>Nest Dwelling Concept Pvt. Ltd. B-267, Green Field Colony, Faridabad-121003 PAN No. AACCN4889M</b>	<b>Vs</b>	<b>ITO Ward – 18 (1) New Delhi</b>
<b>(APPELLANT)</b>		<b>(RESPONDENT)</b>

Appellant by	None
Respondent by	Sh. Anil Kumar Gupta, ITO

Date of hearing:	04/03/2021
Date of Pronouncement:	04/03/2021

**ORDER**

**PER N. K. BILLAIYA, AM:**

This appeal filed by the assessee is preferred against the order of the CIT(A)-37, New Delhi dated 30.03.2019 for A.Y. 2009-10.

2. Vide letter dated 04.03.2021 the assessee brought to our notice that the he has moved an application under Vivad Se Vishwas Scheme, 2020 to settle the dispute.

3. Noting the fact this appeal by the assessee is dismissed as withdrawn. However, a liberty is given to the assessee to approach the Tribunal, if for some technical reason the dispute could not be settled under the Vivad Se Vishwas Scheme, 2020. The appeal is dismissed as withdrawn.

4. In the result, the appeal filed by the assessee is dismissed as withdrawn.

5. Decision announced in the open court in the presence of both the representatives on 04.03.2021.

Sd/-  
**(SUCHITRA KAMBLE)**  
**JUDICIAL MEMBER**

\*NEHA\*

Date:-04.03.2021

Copy forwarded to:

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

Sd/-  
**(N. K. BILLAIYA)**  
**ACCOUNTANT MEMBER**

ASSISTANT REGISTRAR  
ITAT NEW DELHI

Date of dictation	04.03.2021
Date on which the typed draft is placed before the dictating Member	04.03.2021
Date on which the typed draft is placed before the Other member	04.03.2021
Date on which the approved draft comes to the Sr.PS/PS	04.03.2021
Date on which the fair order is placed before the Dictating Member for Pronouncement	04.03.2021
Date on which the fair order comes back to the Sr. PS/ PS	04.03.2021
Date on which the final order is uploaded on the website of ITAT	04.03.2021
Date on which the file goes to the Bench Clerk	04.03.2021
Date on which file goes to the Head Clerk.	
The date on which file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	