

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

**BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER
AND SH. K. NARASIMHA CHARY, JUDICIAL MEMBER**

(THROUGH VIDEO CONFERENCING)

ITA No.5359/Del/2016 (for Assessment Year 2013-14)

Sh. Rakesh Gupta, 304, Block A-2, Uniworld City (West), Sector-30, Gurgaon PAN No. ABJPG 4596 P (APPELLANT)	Vs.	ACIT Circle – II, Faridabad. (RESPONDENT)
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Assessee by	None
Revenue by	Mr. Umesh Takyar, Sr. DR

Date of hearing:	10/03/2021
Date of Pronouncement:	10/03/2021

ORDER

PER ANIL CHATURVEDI, AM:

This appeal filed by the assessee is directed against the order dated 04.08.2016 passed by the Commissioner of Income Tax (Appeals)-3, Gurgaon relating to Assessment Year 2013-14.

2. Before us, assessee has moved an application dated 13.02.2021 wherein the assessee has stated that it has opted for Vivad Se Vishwas (VSV) 2020 and has filed the declaration (Form-

1) and undertaking (Form-2) Scheme and Form -3 has been received. He therefore submitted that assessee be allowed to withdraw the appeal to which Ld. D.R. has no objection.

3. After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid Act, the assessee shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. With these directions **the appeal of the assessee is dismissed as withdrawn.**

4. In the result, appeal of the assessee is dismissed.

Order pronounced in the open court on 10.03.2021, immediately after conclusion of the hearing of the matter in virtual mode.

Sd/-
(K. NARASIMHA CHARY)
JUDICIAL MEMBER

Date:- 10.03.2021

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

Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI

Date of dictation	10.03.2021
Date on which the typed draft is placed before the dictating Member	10.03.2021
Date on which the approved draft comes to the Sr.PS/PS	10.03.2021
Date on which the fair order is placed before the Dictating Member for Pronouncement	
Date on which the fair order comes back to the Sr. PS/ PS	
Date on which the final order is uploaded on the website of ITAT	10.03.2021
Date on which the file goes to the Bench Clerk	
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	