

आयकर अपीलीय अधिकरण, सुरत न्यायपीठ, सुरत  
IN THE INCOME TAX APPELLATE TRIBUNAL  
SURAT BENCH, SURAT

BEFORE SHRI PAWAN SINGH, Hon'ble JUDICIAL MEMBER  
AND Dr.SHRI ARJUN LAL SAINI, Hon'ble ACCOUNTANT MEMBER

(Virtual Hearing)

आ.अ.सं./I.T.A No.2829/AHD/2014 & ITA No.131/SRT/2017

निर्धारण वर्ष/Assessment Year: 2011-12

Mr.Gulambhai Alibhai Patel, 16/17 New Sardar Market, Dumbhal Patia, Surat – 395 010. <b>[PAN: AEZPP 9802 N]</b>	Vs.	The Income Tax Officer, Ward-2(3), Surat. & The Income Tax Officer, Ward-1(2)(2), Surat.
अपीलार्थी / Appellant		प्रत्यर्थी/Respondent

निर्धारितीकीओर से /Assessee by	Shri Rushi Parekh – CA
राजस्वकीओर से /Revenue by	Ms. Anupama Singla - Sr.DR

सुनवाई की तारीख/ Date of hearing:	08.03.2021
उद्घोषणा की तारीख/Pronouncement on:	08.03.2021

**आदेश / O R D E R**

**PER PAWAN SINGH, JUDICIAL MEMEBER:**

1. These two appeals by Assessee are directed against the separate orders of Id.Commissioner of Income Tax(Appeals)-II, Surat dated 04.08.2014 and 26.07.2017. In ITA No.2829/AGHD/2014 the assessee has challenged the additions in quantum assessment. And in ITA No.131/SRT/2017 the assessee has challenged the penalty levied under section 271(1)(c) of the Act. Both appeals relates to A.Y. 2011-12.
2. Both these appeals came up hearing on 8<sup>th</sup> March 2021. The assessee has already filed an application dated 08.03.2021

contending therein that the assessee has settled dispute with the Department under Vivad-Se-Vishwas Scheme-2020 and had already received Form-3, issued from the office of Principal Commissioner of Income Tax, Surat-1, dated 25.01.2021 copy of which is filed. The Ld.Authorised Representative(AR) for assessee at the time of hearing prayed for withdrawal of both the appeals.

3. The Departmental Representative(Sr.DR) appearing for the Revenue submits that both the appeals of assessee may be dismissed as withdrawn.
4. Considering the contents of the application filed by the assessee and the submission of Ld.AR of the assessee, both the appeals of assessee are dismissed as withdrawn. Resultantly, the appeal of the Assessee is dismissed. The Assessing Officer is directed to pass consequential order as per CBDT Circular No.3/2021 dated 04.03.2021.
5. To sum up, both the appeals of the assessee are dismissed.

Order pronounced on 8<sup>th</sup> March 2021 at the time of hearing of appeal.

**Sd/-**

**(Dr.ARJUN LAL SAINI)**

**(लेखा सदस्य/ACCOUNTANT MEMBER)**

**Sd/-**

**(PAWAN SINGH)**

**(न्यायिक सदस्य/JUDICIAL MEMBER)**

सुरत/ **Surat**, दिनांक **Dated:** 8<sup>th</sup> Feb 2021/**#SGR**

Copy of order sent to- Assessee/AO/Pr. CIT/ CIT (A)/ ITAT (DR)/Guard file of ITAT.

**By order**

**/ / TRUE COPY / /**

**Assistant Registrar, Surat**