

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

**BEFORE SHRI G.S. PANNU, VICE PRESIDENT AND
SHRI K.N. CHARY, JUDICIAL MEMBER**

**ITA No. 96 & 97/Del/2017
Assessment Years : 2011-12 & 2012-13**

M/S KELLY SERVICES INDIA PRIVATE LIMITED, 818, INDRAPRAKASH BUILDING, BARAKHAMBA ROAD, NEW DELHI – 110 001 (PAN: AABCK6665K)	Vs. ACIT, CIRCLE 14(2), NEW DELHI
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(Appellant)

(Respondent)

Appellant by	:	None
Respondent by	:	Ms. Aashna Paul, CIT(DR)

Date of hearing	:	15.03.2021
Date of pronouncement	:	15.03.2021

ORDER

PER K.N. CHARY, JM :

These appeals by the assessee for the assessment years 2011-12 & 2012-13 are directed against a common order of Learned CIT(A)-5, Delhi dated 19.10.2016.

2. None appeared on behalf of the assessee at the time of hearing before us. The assessee's A.R. vide his letter dated 15.03.2021, has intimated the Tribunal that the assessee has opted to settle the dispute

relating to the tax arrears for the assessment year under consideration under the Vivad Se Vishwas Act, 2020 (in short 'the Act') and requested for withdrawal of the said appeals.

3. Considering the aforesaid situation, the captioned appeals are consigned to records and treated as dismissed.

4. However, the aforesaid is 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 appellant (i.e., the assessee) shall be at liberty to approach the Tribunal for reinstatement of the appeals and the Tribunal shall consider such application appropriately as per law. The respondent (i.e., the Revenue) has no objection with regard to the aforesaid caveat.

5. In view of the aforesaid, both the appeals are consigned to record and, for statistical purposes, are treated as dismissed.

Above decision was pronounced in the Open Court upon conclusion of hearing on 15th March, 2021.

Sd/-

(G.S. PANNU)
VICE PRESIDENT

Sd/-

(K.N. CHARY)
JUDICIAL MEMBER

SRB

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

Assistant Registrar