

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

**(THROUGH VIDEO CONFERENCING)**

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

**ITA No.370/Del/2018  
Assessment Year : 2008-09**

OTM Jewellery Pvt.ltd., C-4/135, Safdarjung Development Area, New Delhi-110016. PAN-AAACO5115F	Vs	DCIT, Circle-19(1), New Delhi.
<b>APPELLANT</b>		<b>RESPONDENT</b>
<b>Appellant by</b>	None	
<b>Respondent by</b>	Sh.M.Barnwal, Sr.DR	
<b>Date of Hearing</b>	17.03.2021	
<b>Date of Pronouncement</b>	17.03.2021	

**ORDER**

**PER G.S. PANNU, VP :**

This appeal by the assessee for the assessment year 2008-09 is directed against the order of learned CIT(A)-XXV, New Delhi dated 24.11.2017.

2. None appeared on behalf of the assessee at the time of Virtual hearing before us. The assessee, vide its letter received through email, has requested for withdrawal of the appeal filed by him and stated 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 Scheme, 2020".

3. Considering the aforesaid situation, the captioned appeal is 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 appeal 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, the appeal is consigned to record and, for statistical purposes, is treated as dismissed.

Above decision was announced on conclusion of Virtual Hearing on 17<sup>th</sup> March, 2021.

**Sd/-**

**Sd/-**

**(K.NARSIMHA CHARY)**  
**JUDICIAL MEMBER**

**(G.S. PANNU)**  
**VICE PRESIDENT**

*\* Amit Kumar \**

Copy forwarded to:

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

ASSISTANT REGISTRAR  
ITAT, NEW DELHI