

**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**'C' BENCH : BANGALORE**  
**BEFORE SHRI. B.R BASKARAN, ACCOUNTANT MEMBER**  
**AND**  
**SMT. BEENA PILLAI, JUDICIAL MEMBER**

<b>ITA No.2565/Bang/2019</b>
<b>Assessment Year : 2015-16</b>

Munnavar Yunus Jaliwala, No.51, Tower-5, Pebble Bay Apartment, Main Road, Dollars Colony, Bengaluru-560 094.  <b>PAN – AACPJ 6344 A</b>	<b>Vs.</b>	The Asst. Commissioner of Income-Tax, Circle-6(3)(1), Bengaluru.
<b>APPELLANT</b>		<b>RESPONDENT</b>

Assessee by	:	Shri Prashanth G.S, C.A
Revenue by	:	Smt. R Premi, JCIT (DR)

Date of Hearing	:	22-03-2021
Date of Pronouncement	:	22-03-2021

**ORDER**

**PER BEENA PILLAI, JUDICIAL MEMBER**

Present appeal by the assessee has been filed by assessee against order dated 30/10/2019 passed by CIT(A), Bengaluru for assessment year 2015-16.

2. The assessee has filed a letter stating that the assessee has opted to settle the dispute in its appeal under Direct Taxes Vivad Se Vishwas Act, 2020. It is further stated that the assessee has filed Form No.1 & 2 and also received Form No. 3 for the appeal filed by the assessee and it has also received Form No.3.

Accordingly it is submitted that appeal of the assessee may be dismissed as withdrawn.

3. We heard Ld D.R, who did not object to the prayer of the assessee. We note that the present appeal has been filed by assessee with a delay of 135 days. The assessee has opted for VSV Scheme and has filed Form 1 & 2 against which Form 3 has been received. We, therefore, condone the delay without issues contested in the appeal of the assessee have been settled under the Direct Taxes Vivad Se Vishwas Act, 2010, we dismiss the appeal of the assessee as withdrawn. However, we give liberty to the assessee to seek recall of this order in accordance with law, if the circumstances so warrant.

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

Order pronounced in the open court on 22<sup>nd</sup> March, 2021

Sd/-  
(B.R BASKARAN)  
Accountant Member  
Bangalore,

Dated, the 22<sup>nd</sup> March, 2021.

/Vms/

**Copy to:**

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR, ITAT, Bangalore
6. Guard file

Sd/-  
(BEENA PILLAI)  
Judicial Member

By order

Assistant Registrar, ITAT, Bangalore

		<b>Date</b>	<b>Initial</b>	
1.	Draft dictated on	On Dragon		Sr.PS
2.	Draft placed before author	-3-2021		Sr.PS
3.	Draft proposed & placed before the second member	-3-2021		JM/AM
4.	Draft discussed/approved by Second Member.	-3-2021		JM/AM
5.	Approved Draft comes to the Sr.PS/PS	-3-2021		Sr.PS/PS
6.	Kept for pronouncement on	-3-2021		Sr.PS
7.	Date of uploading the order on Website	-3-2021		Sr.PS
8.	If not uploaded, furnish the reason	--		Sr.PS
9.	File sent to the Bench Clerk	-3-2021		Sr.PS
10.	Date on which file goes to the AR			
11.	Date on which file goes to the Head Clerk.			
12.	Date of dispatch of Order.			
13.	Draft dictation sheets are attached	No		Sr.PS