

**IN THE INCOME TAX APPELLATE TRIBUNAL DELHI
BENCH 'SMC-1', NEW DELHI**

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

(THROUGH VIDEO CONFERENCING)

ITA No.5847/Del/2018
Assessment Year : 1914-15

Shyam Kishor Agarwal 62, New Model Apartments Sector – 13, Rohini Delhi-110085 PAN – AENPA 7272 H (APPELLANT)	Vs.	ITO Ward – 61(3), New Delhi (RESPONDENT)
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Assessee by	Shri Girish Agarwal, CA
Revenue by	--None--

Date of hearing:	23/03/2021
Date of Pronouncement:	23/03/2021

ORDER

PER ANIL CHATURVEDI, AM:

This appeal filed by the assessee is directed against the order dated 26.06.2018 of the Commissioner of Income Tax (Appeals)-20, New Delhi relating to Assessment Year 2014-15.

2. Before us, assessee has moved an application 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 department had issued Form-3 on 10.12.2020. The assessee therefore seeks withdrawal of the appeal. In view of the aforesaid, the request for adjournment by Revenue is rejected.

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 After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions, **appeal of the assessee is dismissed as withdrawn.**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 23.03.2021, immediately after conclusion of the hearing of the matter in virtual mode.

Sd/-

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

Sd/-

**(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

Date:- 23.03.2021

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

ASSISTANT REGISTRAR
ITAT NEW DELHI