

**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.157/Del/2020
(for Assessment Year 2011-12)

Batra Rice Mills, 118/7, KM Stone, Near Village Kambohpora, Karnal, Haryana – 132001 PAN No. AAAFB 6858 P (APPELLANT)	Vs.	ITO Ward-1, Karnal (RESPONDENT)
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Assessee by	Shri Rakesh Jain, Adv.
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 03.10.2019 of the Commissioner of Income Tax (Appeals), Karnal pertaining to Assessment Year 2011-12.

2. Before us, assessee has moved an application dated 23.03.2021 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 Designated Authority is yet to issue certificate in Form-3. The assessee therefore seeks to withdraw the appeal. In view of the aforesaid, the request for adjournment by the 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 After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions **the appeal of the assessee is dismissed as withdrawn.**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

Sd/-

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

Date:- 23.03.2021

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Copy forwarded to:

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

Sd/-

**(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

ASSISTANT REGISTRAR
ITAT NEW DELHI