

**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.9396/Del/2019
Assessment Year : 2015-16

Pushpa Builders Ltd., 6, D B Gupta Road, Paharganj, New Delhi-55 PAN – AAGCP 0642 L	Vs.	ACIT Circle – 20(1), New Delhi
(APPELLANT)		(RESPONDENT)

Assessee by	Shri Rohit Tiwari, Adv. Shri Mohan Kalra, Adv.
Revenue by	Shri Rupesh Agarwal, Sr.DR

Date of hearing:	24/03/2021
Date of Pronouncement:	24/03/2021

ORDER

PER K. NARASIMHA CHARY, JM :

This appeal filed by the assessee is directed against the order dated 09.09.2019 of the Commissioner of Income Tax (Appeals)-7, New Delhi relating to Assessment Year 2015-16.

2. Before us, assessee has moved an application dated 16th March, 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 department had issued Form-3. The assessee therefore seeks to withdraw the appeal to which the Revenue has no objection.

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 After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions, **appeal of the assessee is dismissed as withdrawn.**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 24.03.2021, immediately after conclusion of the hearing of the matter in virtual mode.

Sd/-

Sd/-

**(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

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

Date:- 24.03.2021
PY*

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI