

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCHES "A": HYDERABAD
(THROUGH VIRTUAL CONFERENCE)**

**BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER
and
LAXMI PRASAD SAHU, ACCOUNTANT MEMBER**

ITA No. 96/H/2020 Assessment Year: 2014-15		
Ajay Kumar Choudhary, Hyderabad. PAN - ABVPC 8067F (Appellant)	Vs.	Income-tax Officer, Ward - 11(2), Hyderabad. (Respondent)
Assessee by: None		
Revenue by: Shri Sunil Kumar Pandey		
Date of hearing: 26/03/2021		
Date of pronouncement: 05/04/2021		

ORDER

PER BENCH:

This appeal filed by the assessee for AY 2002-03 is directed against CIT(A) - 1, Hyderabad's order dated 28/11/2019 involving proceedings u/s 143(3) of the Income Tax Act, 1961 ; in short "the Act".

2. None appeared on behalf of the assessee at the time of hearing of this appeal. However, we proceed to decide the appeal after hearing the ld. DR and facts available on record.

3. On perusal of record, we find that the assessee filed a letter dated 27/02/2021 which was received by the Registry on 04/03/20201 wherein the assessee stated that the assessee has opted to avail the benefit under the 'Direct Tax Vivad Se Viswas Scheme-2020' in prescribed Form No.1 & 2 and received Form(s)-3 in tune thereto, which is placed on record and therefore, requested the Bench to permit to withdraw his appeal.

3. Having regard to the facts and circumstances of the case, we are inclined to dismiss the appeal of the assessee as withdrawn since the assessee has preferred to avail the Vivad-se-Vishwas Scheme by filing Form No.1 & 2 and received Form(s)-3 in tune thereto, with a rider that it shall be very much open for the assessee to file for revival of this case, if the settlement benefit under the scheme is denied to him for technical reasons.

4. In the result, assessee's appeal is dismissed in above terms.

Pronounced in the open court on 5th April, 2021.

Sd/-
(S. S. GODARA)
JUDICIAL MEMBER

Sd/-
(L.P. SAHU)
ACCOUNTANT MEMBER

Hyderabad, Dated: 5th April, 2021.

kv

copy to :

1	<i>Shri Ajay Kumar Choudhary, Villa No. 208, SA Palm Meadows, Kompally, Hyderabad - 14</i>
2	<i>ITO, Ward - 11(2), Hyderabad.</i>
3	<i>CIT(A) - 1, Hyderabad</i>
4	<i>Pr. CIT - 5, Hyderabad.</i>
5	<i>ITAT, DR, Hyderabad</i>
6	<i>Guard File.</i>

S.No.	Details	Date
1	Draft dictated on	
2	Draft placed before author	
3	Draft proposed & placed before the Second Member	
4	Draft discussed/approved by Second Member	
5	Approved Draft comes to the Sr. PS/PS	
6	Kept for pronouncement	
7	File sent to Bench Clerk	
8	Date on which the file goes to Head Clerk	
9	Date on which file goes to A.R.	
10	Date of Dispatch of order	