

आयकर अपीलीय अधिकरण, जयपुर न्यायपीठ, जयपुर
IN THE INCOME TAX APPELLATE TRIBUNAL, JAIPUR BENCHES, "B" JAIPUR

श्री संदीप गोसाई, न्यायिक सदस्य एवं श्री विक्रम सिंह यादव, लेखा सदस्य के समक्ष
BEFORE: SHRI SANDEEP GOSAIN, JM & SHRI VIKRAM SINGH YADAV, AM

आयकर अपील सं./ITA No. 880/JP/2018
निर्धारण वर्ष/Assessment Year : 2010-11

Shri Ram Babu Gupta Prop. Garg Building Material, Near Jain Nasia, Tonk.	बनाम Vs.	The ITO, Ward, Tonk.
स्थायी लेखा सं./जीआईआर सं./PAN/GIR No. ABYPG2061J		
अपीलार्थी / Appellant		प्रत्यर्थी / Respondent

निर्धारिती की ओर से / Assessee by : Shri Nikhilesh Kataria (CA)
राजस्व की ओर से / Revenue by : Smt. Monisha Choudhary (JCIT)

सुनवाई की तारीख / Date of Hearing: 01/04/2021
उद्घोषणा की तारीख / Date of Pronouncement: 01/04/2021

आदेश / ORDER

PER: SANDEEP GOSAIN, J.M.

The present appeal has been filed by the assessee against the order of CIT(A)-3, Jaipur dated 08.05.2018 for the assessment year 2010-11.

2. Hearing of the appeal was concluded through video conference in view of the prevailing situation of Covid-19 pandemic.

3. The Id. Counsel for the assessee furnished application for withdrawal of this appeal. The contention in the said application reads as under:-

"Respected Sir,

The above matter is fixed for April 1st, 2021.

Please note that in the above matter, the assessee has opted for settlement under Vivad Se Vishwas Scheme and now the certificate in Form-3 has duly been issued by the Department with acknowledgment No. 275316430260221, a copy of which is enclosed herewith.

Accordingly, the appeal has become infructuous and therefore, we request you to allow the withdrawal of our appeal.

Kindly acknowledge receipt.

Thanking you

Yours sincerely

For N. Kataria & Associates

Chartered Accountants.

(Nikilesh Kataria, FCA)"

4. The Id. DR has raised no objection if the appeal of the assessee is allowed to be withdrawn.

5. Therefore, in view of the fact that the assessee has already approached the department to settle the matter under "Vivad Se Vishwas Scheme", we permit the assessee to withdraw this appeal. Accordingly, the appeal of the assessee is dismissed as withdrawn.

6. In the result, this appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 01/04/2021.

Sd/-

(विक्रम सिंह यादव)

(Vikram Singh Yadav)

लेखा सदस्य / Accountant Member

जयपुर / Jaipur

दिनांक / Dated:- 01/04/2021.

Sd/-

(संदीप गोसाई)

(Sandeep Gosain)

न्यायिक सदस्य / Judicial Member

आदेश की प्रतिलिपि अग्रेषित / Copy of the order forwarded to:

1. अपीलार्थी / The Appellant- Shri Ram Babu Gupta, Tonk.
2. प्रत्यर्थी / The Respondent- ITO, Ward, Tonk.
3. आयकर आयुक्त / CIT
4. आयकर आयुक्त / CIT(A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, जयपुर / DR, ITAT, Jaipur.
6. गार्ड फाईल / Guard File {ITA No. 880/JP/2018}

आदेशानुसार / By order,

सहायक पंजीकार / Asst. Registrar