

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI “SMC-2” BENCH: NEW DELHI**

(THROUGH VIDEO CONFERENCING)

BEFORE SHRI KUL BHARAT, JUDICIAL MEMBER

ITA No.758/Del/2020

Assessment Year : 2012-13

Omega Magic Food Pvt.Ltd., H.No.-1659, Sec-7E, Faridabad, Haryana-121005. PAN-AABCO5049H	vs	ITO, Ward-2(5), Faridabad.
APPELLANT		RESPONDENT
Appellant by	Applicant's application (on record)	
Respondent by	Sh. R.K.Gupta, Sr. DR	
Date of Hearing	15.04.2021	
Date of Pronouncement	15.04.2021	

ORDER

PER KUL BHARAT, JM :

This appeal filed by the assessee for the assessment year 2012-13 is directed against the order of learned CIT(A), Faridabad dated 23.01.2020.

2. None appeared on behalf of the assessee at the time of Virtual hearing before us. The assessee, vide its letter dated 12.04.2021, received through email, has requested for withdrawal of the appeal filed by him and stated that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under the "Vivad Se Vishwas Scheme, 2020".

3. Considering the aforesaid situation, the captioned appeal is consigned to records and treated as dismissed.

4. However, the aforesaid is 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 aforestated Act, the appellant (i.e., 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. The respondent (i.e., the Revenue) has no objection with regard to the aforesaid caveat.

5. In view of the aforesaid, the appeal is consigned to record and, for statistical purposes, is treated as dismissed.

Above decision was pronounced on conclusion of Virtual Hearing on 15th April, 2021.

Sd/-
(KUL BHARAT)
JUDICIAL MEMBER

** Amit Kumar **

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT, NEW DELHI