

**IN THE INCOME TAX APPELLATE TRIBUNAL “A(SMC)” BENCH, KOLKATA**

(श्री ए.टी. वर्की, न्यायिक सदस्य)

[Before Shri A. T. Varkey, JM]

**I.T.A. No. 1993/Kol/2019**

Assessment Year:2009-10

Ashok L. Vasani (PAN: ABPPV5148N)	Vs.	Income-tax Officer, Kolkata.	Ward-34(2),
Appellant		Respondent	

Date of Virtual Hearing	27.04.2021
Date of Pronouncement	27.04.2021
For the Appellant	N o n e
For the Respondent	Shri Jayanta Khanra, JCIT, Sr. DR

**ORDER**

This is an appeal preferred by the assessee against the order of Ld. CIT(A)-10, Kolkata dated 27.06.2019 for AY 2009-10.

2. None appeared on behalf of the assessee. However, vide an application dated Nil, which is placed on file, the assessee has submitted that the assessee has opted for Direct Tax Vivad Se Vishwas Scheme, 2020 (hereinafter, the ‘scheme’) and had filed Form-1 & Form-2 before the Competent Authority and is awaiting the issue of Form No. 3 from the Competent Authority. Therefore, taking into consideration the fact that since the assessee has opted for the Scheme for the AY 2009-10, there is no point in keeping the impugned appeal pending.

3. In the light of the aforesaid discussion, I treat this submission of the assessee informing the Tribunal the fact that assessee has opted for the said scheme, therefore, I allow the assessee to withdraw the impugned appeal. In case, if the competent authority as per the scheme does not accept the assessee’s proposal to opt for the Vivad Se Vishwas

Scheme, 2020, then the assessee is at liberty to move an application for recalling this order. With the aforesaid caveat, I allow the assessee to withdraw the captioned appeal.

4. Needless to say that my aforesaid action allowing the assessee to withdraw the appeal, will not come in the way of the competent authority of Revenue to accept the assessee's said option/scheme for availing "Vivad Se Vishwas Scheme, 2020".

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 In the result, the appeal of assessee is dismissed as withdrawn.

Order is pronounced in the open court.

Sd/-

(Aby. T. Varkey)  
Judicial Member

Dated : 27th April, 2021

JD(Sr.P.S.)

Copy of the order forwarded to:

1. Appellant – Shri Ashok L. Vasani, 56/1, Canning Street, Kolkata-700 001.
- 2 Respondent – ITO, Ward-34(2), Kolkata
3. CIT(A)-10, Kolkata. (sent through e-mal)
4. CIT , Kolkata
5. DR, ITAT, Kolkata. (sent through e-mal)

/True Copy,

By order,

Assistant Registrar