

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

**BEFORE SHRI ANIL CHATURVEDI, ACCOUNTANT MEMBER
AND
MS SUCHITRA KAMBLE, JUDICIAL MEMBER**

**ITA No. 5091/DEL/2019 (A.Y 2015-16)
(THROUGH VIDEO CONFERENCING)**

Rose Trust C/o Bajaj Auto Ltd. B-60/61, Naraina Industrial Area Phase-II, New Delhi-110028 AAATRO380G (APPELLANT)	Vs	DCIT-CPC Post Bag No. 2, Electronic City Post Office, Bangalore – 560 500 Karnataka (RESPONDENT)
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Appellant by	Sh. Mahendra Goyal, CA
Respondent by	Sh. Sanjeev Mahajan, Sr. DR

Date of Hearing	13.05.2021
Date of Pronouncement	13.05.2021

ORDER

PER SUCHITRA KAMBLE, JM

This appeal is filed by the assessee against the order dated 22/04/2019 passed by CIT(A)-40, New Delhi for Assessment Year 2015-16.

2. Before us, the Ld. AR filed request for withdrawal of appeal dated 26.02.2021 and further submitted that the assessee has moved an application to resolve the pending issue through Direct Tax “Vivad se Vishwas Scheme” (VSV) Act, 2020, and has filed Declaration Form No. 1 & 2 and received Form No. 3 dated 24.12.2020.

3. In view of the aforesaid facts and after considering the submissions of the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned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 the same. The appeal of the assessee is dismissed as withdrawn.

4. In the result, the appeal of the assessee is dismissed.

Order pronounced in the open court in presence of both the parties on this 13th day of May, 2021.

**Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

**Sd/-
(SUCHITRA KAMBLE)
JUDICIAL MEMBER**

Dated : 13/05/2021

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

ASSISTANT REGISTRAR
ITAT NEW DELHI

Date of dictation	13.05.2021
Date on which the typed draft is placed before the dictating Member	13.05.2021
Date on which the typed draft is placed before the Other Member	13.05.2021
Date on which the approved draft comes to the Sr. PS/PS	13.05.2021
Date on which the fair order is placed before the Dictating Member for pronouncement	13.05.2021
Date on which the fair order comes back to the Sr. PS/PS	13.05.2021
Date on which the final order is uploaded on the website of ITAT	13.05.2021
Date on which the file goes to the Bench Clerk	13.05.2021
Date on which the file goes to the Head Clerk	
The date on which the file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	