

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

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

(THROUGH VIDEO CONFERENCING)

ITA No.6162/Del/2014
(for Assessment Year 2010-11)

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| M/s Jaycees Public School C/o. M/s. RRA Tax India, D-28, South Extension, Part-1, New Delhi PAN No. AAAAJ 2776 K (APPELLANT) | Vs. | ITO Rudrapur (RESPONDENT) |
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|-------------|--|
| Assessee by | Ms. Tavi Malik, Advocate Shri Tarun Kumar, Advocate |
| Revenue by | Shri Sanjeev Mahajan, Sr. D.R. |

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|------------------------|------------|
| Date of hearing: | 12/05/2021 |
| Date of Pronouncement: | 12/05/2021 |

ORDER

PER ANIL CHATURVEDI, AM:

This appeal filed by the assessee is directed against the order dated 26.08.2014 of the Commissioner of Income Tax (Appeals)-II, Dehradun pertaining to Assessment Year 2010-11.

2. Before us, assessee has moved an application dated 12.05.2021 wherein the assessee has stated that it has opted for

Vivad Se Vishwas (VSV) 2020 and has filed the declaration (Form-1) and undertaking (Form-2) Scheme and department had issued Form-3. The assessee therefore seeks to withdraw the appeal, to which the Revenue has no objection.

3. After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 such application appropriately as per law. With these directions **the appeal of the assessee is dismissed as withdrawn.**

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

Order pronounced in the open court on 12.05.2021

Sd/-

**(SUCHITRA KAMBLE)
JUDICIAL MEMBER**

Date:- 12.05.2021

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Copy forwarded to:

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

Sd/-

**(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

ASSISTANT REGISTRAR
ITAT NEW DELHI