

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCHES "B": HYDERABAD
(THROUGH VIRTUAL CONFERENCE)**

**BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER
and
LAXMI PRASAD SAHU, ACCOUNTANT MEMBER**

ITA No. 59/H/2019 Assessment Year: 2013-14		
Subhaskara Reddy Jakkireddy, Hyderabad. PAN - AGKPJ 0803E (Appellant)	Vs.	Income-tax Officer, Ward - 3(4), Hyderabad. (Respondent)
Assessee by:		Shri A.V. Raghuram
Revenue by:		Shri Rohit Mujumdar
Date of hearing:		27/05/2021
Date of pronouncement:		27/05/2021

ORDER

PER L.P. SAHU, AM:

This appeal filed by the assessee for AY 2009-10 is directed against CIT(A) - 3, Hyderabad's order, dated 19/09/2018 involving proceedings u/s 143(3) of the Income Tax Act, 1961 ; in short "the Act".

2. At the outset, the ld. counsel for the assessee submitted that the assessee has opted to avail the benefit under the 'Direct Tax Vivad Se Viswas Scheme-2020' in prescribed Form No.1 & 2 and received Form(s)-3 in tune

thereto, which is placed on record and therefore, requested the Bench to permit to withdraw this appeal of the assessee.

4. Having regard to the facts and circumstances of the case, we are inclined to dismiss the appeal of the assessee as withdrawn since the assessee has preferred to avail the Vivad-se-Vishwas Scheme by filing Form No.1 & 2 and received Form(s)-3 in tune thereto, with a rider that it shall be very much open for the assessee to file for revival of this case, if the settlement benefit under the scheme is denied to him for technical reasons.

5. In the result, assessee's appeal is dismissed in above terms.

Pronounced in the open court on 27th May, 2021.

Sd/-
(S. S. GODARA)
JUDICIAL MEMBER

Sd/-
(L.P. SAHU)
ACCOUNTANT MEMBER

Hyderabad, Dated: 27th May, 2021.

kv

copy to :

<i>1</i>	<i>Shri Subhaskara Reddy Jakkireddy, C/o S/Shri K. Vasantkumar, AV Raghuram, P. Vinod & M. Neelima Devi, Advocates, 610 Babukhan Estate, Basheerbagh, Hyderabad - 500 001.</i>
<i>2</i>	<i>ITO, Ward - 3(4), Hyderabad</i>
<i>3</i>	<i>CIT(A) - 3, Hyderabad</i>
<i>4</i>	<i>Pr. CIT - 3, Hyderabad</i>
<i>5</i>	<i>ITAT, DR, Hyderabad</i>
<i>6</i>	<i>Guard File.</i>