

**IN THE INCOME TAX APPELLATE TRIBUNAL DELHI  
BENCH 'SMC-1', NEW DELHI**

**BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER**

(THROUGH VIDEO CONFERENCING)

ITA No.3558/Del/2018  
(Assessment Year : 2009-10)

Devender Kumar Tyagi H. No.172, Vill and Post- Makanpur, Indirapuram, Ghaziabad, UP-201014  PAN : AMNPT 6776 H	Vs.	ITO Ward-1(2), Ghaziabad
<b>(APPELLANT)</b>		<b>(RESPONDENT)</b>

Assessee by	Shri Sunil Kumar Tyagi, C.A.
Revenue by	--None--

Date of hearing:	03/06/2021
Date of Pronouncement:	03/06/2021

**ORDER**

**PER ANIL CHATURVEDI, AM:**

This appeal filed by the assessee is directed against the order dated 27.02.2018 of the Commissioner of Income Tax (Appeals)-2, Noida relating to Assessment Year 2009-10.

2. Before me, assessee has moved an application dated 01.06.2021 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.

3. After considering the request made by the assessee, I dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions, **appeal of the assessee is dismissed as withdrawn.**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 03.06.2021, immediately after conclusion of the hearing of the matter in virtual mode.**

**Sd/-**

**(ANIL CHATURVEDI)  
ACCOUNTANT MEMBER**

*Date:- 03.06.2021*

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Copy forwarded to:

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

ASSISTANT REGISTRAR  
ITAT NEW DELHI