

IN THE INCOME TAX APPELLATE TRIBUNAL  
HYDERABAD BENCH “”, HYDERABAD

BEFORE SMT. P. MADHAVI DEVI, JUDICIAL MEMBER  
AND  
SHRI A. MOHAN ALANKAMONY, ACCOUNTANT MEMBER

	ITA No.2282/Hyd/2018		
	Assessment Year: 2010-11		
Shaik Khalil Ahmed, Hyderabad. PAN: AIRPS 7828 M	Vs.	ACIT, Circle-14(1), Hyderabad.	
(Appellant)		(Respondent)	
Assessee by:	Shri M. Chandramouleswara Rao		
Revenue by:	Shri Rohit Mujumdar, DR		
Date of hearing:	21/6/2021		
Date of pronouncement:	24/6/2021		

ORDER

PER A. MOHAN ALANKAMONY, AM.:

This appeal is filed by the assessee against the order of the Ld. CIT-6, Hyderabad in appeal No. 10258/2018-19/A2 CIT(A)-6, dated 25/09/2018 passed U/s. 143(3) r.w.s 147 of the Act for the AY: 2010-11.

2. At the outset, Ld.AR submitted before us that the assessee desires to withdraw his appeal as the assessee has opted to avail 'Vivad Se Viswas' scheme. He further submitted that the assessee had filed Form No.1 & 2 and also received Form-3 from the Revenue. It was therefore

pleaded, that the instant appeal of the assessee may be allowed to be withdrawn.

3. The Ld. DR conceded to the request of the Ld.AR.

4. Having heard both the parties through video conference, We are inclined to allow the appeal of the assessee to be withdrawn yielding to the prayer of the Ld. AR as the assessee has preferred to avail the Vivad-se-Vishwas Scheme by filing Forms No.1, 2 and also received Form No.3 from the Revenue. The Ld. DR has also conceded to the request of the Ld. AR. Accordingly, We hereby dismiss the appeal of the assessee as withdrawn. However, we also make it clear that, if the assessee's case is not accepted in the Vivad-Se-Viswas scheme by the Revenue for whatsoever may be the reason, then the assessee shall be at liberty to file a Miscellaneous Petition before the Tribunal within the time limit prescribed under the Act to reinstate its appeal. It is ordered accordingly.

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 In the result, appeal of the assessee is dismissed as withdrawn.

Pronounced in the open Court on the 24<sup>th</sup> June, 2021.

Sd/-  
(P. MADHAVI DEVI)  
JUDICIAL MEMBER

Sd/-  
(A. MOHAN ALANKAMONY)  
ACCOUNTANT MEMBER

Hyderabad, Dated: 24<sup>th</sup> June, 2021

*OKK*

Copy to:-

- 1) Shaik Khalil Ahmed, 8-2-293/82/A/583/2, Plot No.22, Jubilee Hills, Hyderabad.
- 2) ACIT, Circle-14(1), 6<sup>th</sup> Floor, IT Towers, AC Guards, Hyderabad.
- 3) The CIT (A)-6, Hyderabad.
- 4) The Pr. CIT (A)-6, Hyderabad.
- 5) The DR, ITAT, Hyderabad
- 6) Guard File