

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

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER  
AND  
SHRI LAXMI PRASAD SAHU, ACCOUNTANT MEMBER**

**I.T.A. No. 242/HYD/2014**

Assessment Year: 2009-10

Albany Molecular Research Hyderabad Research Centre Private Limited, HYDERABAD	Vs	The Deputy Commissioner of Income Tax, Circle-1(1), HYDERABAD
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[PAN: AAFCA1469D]

(Appellant)

(Respondent)

For Assessee : Shri K.C.Devdas, AR

For Revenue : Shri Narayana Murthy Naik, DR

Date of Hearing : 12-05-2021

Date of Pronouncement : 23-06-2021

**ORDER**

**PER S.S.GODARA, J.M. :**

This assessee's appeal for AY.2009-10 arises against the DCIT, Circle-1(1), Hyderabad's assessment dated 03-12-2013 involving proceedings u/s.143(3) r.w.s.144C(5) of the Income Tax Act, 1961 [in short, 'the Act'].

2. At the outset, we are informed during the course of hearing from the assessee's side that it has filed for settlement benefit under the 'Direct Tax Vivad Se Viswas Scheme-2020' in prescribed Form No.1 & 2 and Form-3 in tune thereto; also stands issued.

3. The assessee's sole identical plea in this case is that since the department is yet to finalise the settlement in tune with Form(s)-3 issued under the scheme, this appeal may not be dismissed as withdrawn as on date. We find no merit in assessee's contentions *per se*. The fact remains that the assessee has already been issued Form-3, no purpose would be served if this case is kept pending. We therefore order that this appeal be treated as dismissed as withdrawn with a rider that it shall be very much open for the assessee to file for revival of this case, if the settlement benefit under the scheme is denied to it for technical reasons.

4. This assessee's appeal is dismissed as withdrawn in above terms.

*Order pronounced in the open court on 23<sup>rd</sup> June, 2021*

Sd/-  
**(LAXMI PRASAD SAHU)**  
**ACCOUNTANT MEMBER**

Hyderabad,  
Dated: 23-06-2021

TNMM

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

Copy to :

1. Albany Molecular Research Hyderabad Research Centre Private Limited, Phase-II, ICICI Knowledge Park, Genome Valley, Turkapally, Shameerpet, Hyderabad.
2. The Deputy Commissioner of Income Tax, Circle-1(1), Hyderabad.
3. Dispute Resolution Panel (DRP), Hyderabad.
4. Director of Income Tax (IT & TP), Hyderabad.
5. Addl. Commissioner of Income Tax (Transfer Pricing), Hyderabad.
6. D.R. ITAT, Hyderabad.
7. Guard File.