

**IN THE INCOME TAX APPELLATE TRIBUNAL, JABALPUR BENCH,  
JABALPUR (SMC)**  
(through Video Conferencing)

BEFORE SH. SANJAY ARORA, HON'BLE ACCOUNTANT MEMBER

ITA No.78/JAB/2019  
Assessment Year: 2016-17

Kuldeep Badal, Tikamgarh (M.P.)  [PAN: BGTPB 6777K]	vs.	Income Tax Officer, Tikamgarh (M.P.)
(Appellant)		(Respondent)

Appellant by	None (Withdrawal Application )
Respondent by	Ms. Swati Agarwal, Sr. DR
Date of hearing	28/06/2021
Date of pronouncement	28/06/2021

**ORDER**

Per Sanjay Arora, AM

This is an Appeal by the Assessee directed against the Order by the Commissioner of Income Tax (Appeals), Gwalior ('CIT(A)' for short) dated 20/9/2019, partly allowing the assessee's appeal contesting his assessment under section 147 read with sec. 143(3) of the Income Tax Act, 1961 ('the Act' hereinafter) for the Assessment Year (AY) 2016-17 vide Order dated 25/12/2018.

2. None appeared for and on behalf of the assessee when the appeal was called out for hearing. It stands, however, observed that the assessee has through his counsel, Sh. Srivastava, Adv., moved an application dated 25/6/2021 on 28/6/2021, informing that the assessee has since opted for the Vivad Se Vishwas Scheme, 2019 in respect of his captioned appeal, and that no

dispute with the Revenue survives *qua* the same, and which is accordingly prayed for being allowed to be withdrawn.

3. I have heard the party before me as well as perused the record. The DTVsV Act, 2020 itself provides for the withdrawal of an appeal (under the Act) on the resolution of the dispute under the said Act. The assessee's captioned appeal, in view thereof, becomes not maintainable, and is liable to be withdrawn.

4. The assessee's appeal is, accordingly, permitted to be withdrawn. I decide accordingly.

5. In the result, the assessee's appeal is dismissed as not maintainable/withdrawn.

*Order pronounced in the Open Court on June 28, 2021*

Sd/-  
(Sanjay Arora)  
Accountant Member

Dated: 28/06/2021

Copy of the Order forwarded to:

1. The Appellant: Kuldeep Badal, New Civil Lines, Behind Sewa Nursing Home, Tikamgarh - 472001 (M.P.)
2. The Respondent: Income Tax Officer, Aaykar Bhawan, Tikamgarh - 472001 (M.P.)
3. The Pr. CIT, Gwalior
4. The CIT(A), Gwalior
5. The Sr. DR, ITAT, Jabalpur
6. Guard File

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