

IN THE INCOME TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT

BEFORE SHRI PAWAN SINGH, JM & DR. A. L. SAINI, AM

आयकरअपीलसं./ITA No.447/SRT/2018

(निर्धारणवर्ष / Assessment Year: (2014-15))

(Virtual Court Hearing)

Bhanumatiben Dhansukhlal Gheewala, 10/1579, Gopipura Main Road, Nr. Middle School, Gopipura, Surat.	V s.	The Income Tax Officer, Ward-1(3)(1), Surat.
स्थायीलेखासं./जीआइआरसं./PAN/GIR No.: ACOPG 1272 C		
(Assessee)		(Respondent)

Assessee by : Shri Kiran K.Shah - AR

Respondent by : Mrs. Anupama Singla – Sr.DR

सुनवाईकीतारीख/ Date of Hearing : 28/06/2021

घोषणाकीतारीख/Date of Pronouncement: 28/06/2021

आदेश / O R D E R

PER DR. A. L. SAINI, ACCOUNTANT MEMBER:

Captioned appeal filed by the assessee pertaining to the assessment year 2014-15, is directed against the order passed by the Id.Commissioner of Income Tax(Appeals), Surat dated 23.04.2018.

2. At the outset itself, we note that Shri Kiran K.Shah, CA appeared on behalf of the assessee has submitted that assessee has filed an application under Vivad se Vishwas Scheme on 30.01.2021, vide Ask. No.233336301300121, and taxes were also paid. Form No.3 and 4 were filed by assessee, however, Form NO.5 is still awaited. Therefore, Ld.Counsel prayed the Bench to pass conditional order. A copy of Ack number under 'the Direct Tax Vivad Se Vishwas Act, filed by the assessee in the Income Tax Department on 30.01.2021, vide Ack. No.233336301300121 issued by **Principal Commissioner of Income Tax, Surat** for Appeal Reference Number.447/SRT/2018 is also placed before the Bench. The Assessee prayed for

withdrawal of the appeal to which, the learned Departmental Representative did not raise any objection.

3. We have gone through the Ack.No.233336301300121 filed by the assessee to obtain the benefit of '**Vivad Se Vishwas Scheme**' and noted that assessee has prayed for withdrawal of the appeal. The Ld.Sr.DR for the Revenue did not have any objection if the said appeal is withdrawn by the assessee company. Consequently, we treat this appeal as withdrawn.

4. We also make it clear that if the assessee's application is not admitted under Vivad Se Vishwas Scheme, then assessee is at liberty to move an application before this Tribunal praying for recalling this order, then this order may be recalled.

5. In the result, appeal of the Assessee (ITA No.447/SRT/2018 AY.2014-15) is dismissed as withdrawn.

Order is pronounced at the time of hearing of appeal on 28/06/2021 in the Virtual Court of hearing.

Sd/-
(PAWAN SINGH)
JUDICIAL MEMBER

Sd/-
(Dr. A.L. SAINI)
ACCOUNTANT MEMBER

Surat /दिनांक/ Date: 28/06/2021 /sgr

Copy of the Order forwarded to

1. The Assessee
2. The Respondent
3. The CIT(A)
4. Pr.CIT
5. DR/AR, ITAT, Surat
6. Guard File

By Order

/ / TRUE COPY / /

Assistant Registrar/Sr. PS/PS
ITAT, Surat