

**IN THE INCOME TAX APPELLATE TRIBUNAL DELHI
BENCH 'SMC-2', NEW DELHI**

BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER

(THROUGH VIDEO CONFERENCING)

ITA No.3296/Del/2019
(Assessment Year : 2010-11)

| | | |
|--|-----|-----------------------------------|
| Dr. Shaily Prem Saxena 11-C, Pocket – F, Mayur Vihar Phase-II, New Delhi - 110091 PAN : BCAPS 7604 H | Vs. | ITO Ward – 61(4), New Delhi |
| (APPELLANT) | | (RESPONDENT) |

| | |
|-------------|----------------------------|
| Assessee by | Appellant's Application |
| Revenue by | Shri R. K. Gupta, Sr. D.R. |

| | |
|------------------------|------------|
| Date of hearing: | 07.07.2021 |
| Date of Pronouncement: | 07.07.2021 |

ORDER

PER ANIL CHATURVEDI, AM:

This appeal filed by the assessee is directed against the order dated 06.02.2019 of the Commissioner of Income Tax (Appeals)-38, New Delhi relating to Assessment Year 2010-11.

2. Before us, assessee has moved an application dated 07.07.2021 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 to which Revenue has no objection.

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 After considering the request made by the assessee, I dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions, **appeal of the assessee is dismissed as withdrawn.**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 07.07.2021, immediately after conclusion of the hearing of the matter in virtual mode.

Sd/-

**(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

Date:- 07.07.2021

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Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI