

**IN THE INCOME TAX APPELLATE TRIBUNAL “PATNA ” BENCH, VIRTUAL HEARING AT KOLKATA**

(समक्ष)श्री पी. एम.जगताप,उपाध्यक्ष एवं श्री ए.टी. वर्की,न्यायिक सदस्य)

[Before Shri P.M. Jagtap, Vice President (KZ) &amp; Shri A. T. Varkey, JM]

**I.T.A. No. 209/PAT/2018**

Assessment Year:

Better World Foundation (PAN: AAGCB8141E)	Vs.	Commissioner of Income-tax (Exemption), Patna
Appellant		Respondent

Date of Virtual Hearing	13.08.2021
Date of Pronouncement	13.08.2021
For the Appellant	N o n e
For the Respondent	None

**ORDER****Per Shri A.T. Varkey, JM:**

This appeal has been preferred by the assessee against the order of the Ld.CIT(E), Patna dated 05.06.2018.

2. None appeared for both the sides. At the outset, it is noticed from the letter of the assessee dated 30.07.2021 that the assessee had opted for Direct Tax Vivad Se Vishwas Scheme, 2020 (hereinafter, the ‘scheme’) and had filed Form-1 & Form-2 before the Competent Authority and is awaiting the issue of Form No. 3 from the Competent Authority. Therefore, taking into consideration the fact that since the assessee has opted for the Scheme, there is no point in keeping the impugned appeal pending.

3. In the light of the aforesaid discussion, we treat this submission of the assessee informing the Tribunal the fact that assessee has opted for the said scheme, therefore, we allow the assessee to withdraw the impugned appeal. In case, if the competent authority as per the scheme does not accept the assessee’s proposal to opt for the Vivad Se Vishwas Scheme, 2020, then the assessee is at liberty to move an application for recalling this order. With the aforesaid caveat, we allow the assessee to withdraw the captioned appeal.

4. Needless to say that the aforesaid action allowing the assessee to withdraw the appeal, will not come in the way of the competent authority of Revenue to accept the assessee's said option/scheme for availing "Vivad Se Vishwas Scheme, 2020".

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 In the result, the appeal of assessee is dismissed as withdrawn.

Order is pronounced in the open court.

Sd/-  
(P. M. Jagtap)  
Vice President

Sd/-  
(Aby. T. Varkey)  
Judicial Member

Dated : 13.08.2021

JD(Sr.P.S.)

Copy of the order forwarded to:

1. Appellant – Better World Foundation, Near Central Bank of India, Babhanpura, AIIMS-Janipur Road, Phulwarisharif, Patna-801505
2. Respondent – CIT(E), Patna.
3. ITO (Hqrs.) (Exemptions) Patna.
4. CIT, Patna
5. DR, ITAT, Patna. (sent through e-mail)

/True Copy,

By order,

Sr. Pvt. Secretary

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