

**IN THE INCOME TAX APPELLATE TRIBUNAL
(DELHI BENCH: 'F': NEW DELHI)
(THROUGH VIDEO CONFERENCING)**

**BEFORE MS SUCHITRA KAMBLE, JUDICIAL MEMBER
AND
SHRI ANADEE NATH MISSHRA, ACCOUNTANT MEMBER**

**ITA No:- 2298/Del/2018
(Assessment Year: 2009-10)**

Ram Naresh Sikarwar, Ballabgarh.	Vs.	ITO, Ward-II(2), Faridabad.
APPELLANT		RESPONDENT
PAN No: AUSPS0203K		

Assessee By : None
Revenue By : Shri Jagdish Singh, Sr. DR

Per Anadee Nath Misshra, AM

(A) This appeal by Assessee is filed against the order of Learned Commissioner of Income Tax (Appeals), Faridabad, ["Ld. CIT(A)", for short], dated 01.11.2017 for Assessment Year 2009-10. Grounds taken in this appeal of Assessee are as under:

*"1. On the facts and circumstances of the case and legal provisions the learned Commissioner of Income Tax Appeals Faridabad erred in confirming the addition of Rs. 441300 made by the learned Assessing Officer in the assessment Order.
2. The appellant craves leave to add, amend, delete, and modify any grounds of the appeal before / during the hearing of the appeal and all the above grounds are without prejudice to each other."*

(B) At the time of hearing, we took notice of letter dated 08.03.2021 filed by the appellant. In this letter it has been intimated that the assessee has opted for the Vivad Se

Vishwas Scheme, 2020 ("VSVS", for short). A copy of Form-3 dated 25/01/2021 issued by Designated Authority under VSVS is also enclosed with this letter. In view of this, the learned Senior Departmental Representative ("Ld. Sr. DR", for short) submitted before us that this appeal may be treated as withdrawn and may be dismissed on account of the aforesaid VSVS. After due consideration, and in view of the foregoing; we treat this appeal as withdrawn on account of the aforesaid VSVS. Accordingly, this appeal is dismissed.

(B.1) Before we part, we hereby clarify, by way of abundant caution, that if for some reason it is found by Assessee that the disputes under this appeal before us are not fully settled under the aforesaid VSVS, then Assessee will be at liberty to approach ITAT for restoration of this appeal, in accordance with law.

(C) In the result, this appeal is dismissed.

This order was orally pronounced on 2nd September, 2021 in Open Court, in the absence of any representative from assessee's side, but in the presence of Ld. Sr. DR; after conclusion of the hearing. Now this written order is signed today on 03/09/21.

**Sd/-
(SUCHITRA KAMBLE)
JUDICIAL MEMBER**

**Sd/-
(ANADEE NATH MISSHRA)
ACCOUNTANT MEMBER**

Dated: 03/09/21
(Pooja)

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI

Date of dictation	
Date on which the typed draft is placed before the dictating Member	
Date on which the typed draft is placed before the Other Member	
Date on which the approved draft comes to the Sr. PS/PS	
Date on which the fair order is placed before the Dictating Member for pronouncement	
Date on which the fair order comes back to the Sr. PS/PS	
Date on which the final order is uploaded on the website of ITAT	
Date on which the file goes to the Bench Clerk	
Date on which the file goes to the Head Clerk	
The date on which the file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	