

आयकर अपीलीय अधिकरण, 'ए' न्यायपीठ, चेन्नई।  
**IN THE INCOME TAX APPELLATE TRIBUNAL  
'A' BENCH: CHENNAI**

श्री धुव्वुरु आर.एल. रेड्डी, न्यायिक सदस्य एवं  
श्री एस. जयरामन, लेखा सदस्य के समक्ष  
**BEFORE SHRI DUVVURU R.L. REDDY, JUDICIAL MEMBER AND  
SHRI S. JAYARAMAN, ACCOUNTANT MEMBER**

आयकर अपील सं./ITA No.228/Chny/2020  
निर्धारण वर्ष /Assessment Year: 2007-08

Mr.S.Abubacker Siddiq,  
No.5, Haddows Road, 1<sup>st</sup> Street,  
Nungambakkam, Chennai-600 006.  
[PAN: ABHPS 8193 G]  
(अपीलकर्ता/Appellant)

v. The Dy. Commissioner of  
Income Tax,  
Media Circle-1, Chennai.

(प्रत्यर्थी/Respondent)

अपीलकर्ता की ओर से/ Appellant by	:	None
प्रत्यर्थी की ओर से /Respondent by	:	Mrs.R.Anita, Addl.CIT
सुनवाई की तारीख/Date of Hearing	:	06.09.2021
घोषणा की तारीख/Dt. of Pronouncement	:	06.09.2021

**आदेश / ORDER**

**PER DUVVURU R.L. REDDY, JUDICIAL MEMBER:**

The assessee filed this appeal against the order of the Commissioner of Income Tax (Appeals)-14, Chennai, in ITA No.21/CIT(A)-14/2012-13 dated 19.09.2019 for the AY 2007-08.

2. This appeal filed by the assessee is delayed by '57' days, for which, the assessee has not filed Affidavit on 'Non-judicial Stamp Paper' but filed a petition praying for condonation of the delay, to which, the Revenue has not raised any serious objection. Consequently, the delay in filing of the appeal stands condoned and the appeal is disposed off.

3. By filing Form No.5, it was the submission of the assessee that the assessee paid the dues under Vivad Se Vishwas Scheme and the designated authority has issued Form No.5 on 25.02.2021. Thus, it was prayed for withdrawal of the appeal filed by the assessee. Against which, the learned DR fairly conceded the submissions of the assessee.

4. We have heard the Ld.DR, perused the materials available on record and gone through the Form No.5.

5. We find that the assessee has already paid the dues under Vivad Se Vishwas Scheme, thereby, the designated authority has issued Form No.5 and thus, the appeal filed by the assessee is liable to be dismissed as withdrawn. Accordingly, the appeal filed by the assessee is dismissed as withdrawn.

6. In the result, the appeal filed by the assessee in ITA No.228/Chny/2020 is dismissed as withdrawn.

Order pronounced on the 06<sup>th</sup> day of September, 2021, in Chennai.

**Sd/-**

(एस. जयरामन)

**(S. JAYARAMAN)**

लेखासदस्य /ACCOUNTANT MEMBER

**Sd/-**

(धुव्वुरु आर.एल. रेड्डी)

**(DUVVURU R.L. REDDY)**

न्यायिक सदस्य/JUDICIAL MEMBER

चेन्नई/Chennai,

दिनांक/Dated: 06<sup>th</sup> September, 2021.

TLN

आदेश की प्रतिलिपि अग्रेषित/**Copy to:**

1. अपीलकर्ता/Appellant

2. प्रत्यर्था/Respondent

3. आयकर आयुक्त (अपील)/CIT(A)

4. आयकर आयुक्त/CIT

5. विभागीय प्रतिनिधि/DR

6. गार्ड फाईल/GF