

आयकर अपीलीय अधिकरण, अहमदाबाद न्यायपीठ 'C' अहमदाबाद ।
IN THE INCOME TAX APPELLATE TRIBUNAL
“C” BENCH, AHMEDABAD
(Convened through Virtual Court)
BEFORE SHRI PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER
& MS. MADHUMITA ROY, JUDICIAL MEMBER

| S. No. | Appeal | A.Y. | Appellant (PAN NO.) | Respondent | A.R.(Shri) |
|--------|--------------------------|---------|---|--------------------------------|--|
| 1. | ITA No. 2227/Ahd/2015 | 2010-11 | Milestone Tradelinks Pvt. Ltd. (AACCM9423C) | ITO Ward-1(2), Ahmedabad | S. N. Soparkar with Shri Parin Shah |

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|---------------------|---------------------------|
| Revenue by : | Shri Alok Kumar, Sr. D.R. |
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| सुनवाई की तारीख / Date of Hearing | 01/09/2021 |
| घोषणा की तारीख /Date of Pronouncement | 22/09/2021 |

आदेश/ORDER

PER MS. MADHUMITA ROY, JM:

The captioned appeal has been filed at the instance of the assessee against the order of the Commissioner of Income Tax (Appeals)-1, Ahmedabad ('CIT(A)' in short), dated 26.05.2015 arising in the assessment order dated 13.03.2013 passed by the ITO, Ward-1(2), Ahmedabad under Section 143(3) of the Income Tax Act, 1961 (the Act) concerning AY 2010-11.

2. When the matter was called for hearing, it is pointed out to the Bench that the assessee has filed declaration and undertaking in Form No. 1 as per provisions of the Direct Tax Vivad Se Vishwas Act, 2020 for availment of the benefit under the scheme. In view of this, the Ld. Counsel for the assessee submitted that assessee does not want to pursue the said appeal owing to exercise of option for availing VSV Scheme and it has complied with the

requisite formalities, and sought permission for withdrawal of appeal before the Tribunal. The Ld. Counsel has placed on record copy of Form No. 1 and 2.

3. The Ld. Departmental Representative for the Revenue stated that he has no objection to withdraw the appeals in the circumstances narrated on behalf of the assessee.

4. In the light of written requests made on behalf of the captioned party, the appeal is dismissed as withdrawn. However, in the event, the assessee fails to avail the benefit of VSV Scheme for any bonafide reasons, then the assessee concerned will be at liberty to seek restoration of original appeal for hearing before ITAT in accordance with law.

5. In the result, the captioned appeal is dismissed as withdrawn.

This Order pronounced on

22/09/2021

Sd/-

(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER

Ahmedabad: Dated 22/09/2021
TANMAT

TRUE COPY

Sd/-

(MADHUMITA ROY)
JUDICIAL MEMBER

आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-

1. राजस्व / Revenue 2. आवेदक / Assessee 3. संबंधित आयकर आयुक्त / Concerned CIT.
आयकर आयुक्त- अपील / CIT (A) 5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, अहमदाबाद /
DR, ITAT, Ahmedabad 6. गार्ड फाइल / Guard file.

By order/आदेश से,

उप/सहायक पंजीकार
आयकर अपीलीय अधिकरण, अहमदाबाद ।