

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH: 'E' NEW DELHI**

**BEFORE SHRI R. K. PANDA ACCOUNTANT MEMBER  
AND  
MS SUCHITRA KAMBLE, JUDICIAL MEMBER**

**I.T.A. No. 3889/DEL/2019 (A.Y 2009-10)  
(THROUGH VIDEO CONFERENCING)**

Fairwell Construction Pvt. Ltd. Flat No. 811, Naurang House, 21, KG Marg, Connaught Place, New Delhi AABCF2840B <b>(APPELLANT)</b>	Vs	ITO Ward-9(1) C. R. Building, New Delhi  <b>(RESPONDENT)</b>
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<b>Appellant by</b>	<b>None</b>
<b>Respondent by</b>	<b>Sh. Gaurav Pundir, Sr. DR</b>

<b>Date of Hearing</b>	<b>29.09.2021</b>
<b>Date of Pronouncement</b>	<b>29.09.2021</b>

**ORDER**

**PER R. K. PANDA, AM**

This appeal is filed by the assessee against the order 20.02.2019 passed by CIT(A)-34, New Delhi for assessment year 2009-10.

2. None appeared on behalf of assessee at the time of virtual hearing. The learned counsel for the assessee, vide its letter dated 11<sup>th</sup> August, 2021, received by email, has requested for withdrawal of the appeal filed by the assessee and stated that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under the Vivad Se Vishwas Scheme, 2020. A certificate to this effect under Section 5(1) of The Direct Tax Vivad Se Vishwas Act, 2020 has also been filed.

3. Learned Senior DR has no objection.

4. In view of the above, we accept the request of the assessee for withdrawal of the appeal.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

**Order pronounced in the Open Court on this 29<sup>th</sup> Day of September, 2021 in presence of both the parties.**

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

**Sd/-  
(R. K. PANDA)  
ACCOUNTANT MEMBER**

Dated : 29/09/2021

*R. Naheed \**

Copy forwarded to:

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

ASSISTANT REGISTRAR

ITAT NEW DELHI