

**IN THE INCOME TAX APPELLATE TRIBUNAL
JODHPUR BENCH, JODHPUR**

**BEFORE SHRI N.K.SAINI, VICE PRESIDENT AND
SHRI SANDEEP GOSAIN, JUDICIAL MEMBER**

ITA Nos. 122 & 123/Jodh/2016
(Assessment Years : 2008-09 & 2010-11)

M/s Pawan Prakash Goyal HUF, C/o U.C. Jain & Associates, 'Shatrunjay', Hari Singh Nagar, Pali Jodhpur	Vs	The ITO, Ward-1, Churu
(Appellant)		(Respondent)
PAN:AAFHP0749E		

Revenue By	Smt. Monisha, JCIT DR
Assessee By	Sh Rajendra Jain, Advocate
Date of hearing	28.09.2021
Date of Pronouncement	28.09.2021

ORDER

PER N. K. SAINI, V.P.

Both the appeals by the assessee are directed against the separate orders each dt. 22.03.2016 of Ld. Pr. Commissioner of Income Tax-3, Jaipur

2. The Ld. Counsel for the Assessee in both the appeals has furnished separate applications each dt 23.9.2021, containing similar contents for withdrawal of these appeals stating therein as under:

“Date: 23.09.2021

.....

Sub: Application for grant of permission of withdrawal of appeal.

Hon'ble Sir,

Since the Ld. AO has passed the assessment order in consequence to order u/s 263 of the Act and against the assessment order the assessee has filed the appeal before CIT(A). Thereafter the assessee had opted the scheme of Vivad Se Vishwa. Therefore, I request kindly allowed to me for withdraw the present appeal and oblige.

Thanking you,

Your Faithfully,

For Pawan Prakash Goyal HUF

Sd/-

[Karta]

3. During the course of hearing the Ld. Counsel for the Assessee submitted that since the assessee has availed the immunity scheme i.e Vivad Se Vishwas and the Income Tax Department has since issued Form-3 bearing Certificate Nos. 272038510230221 & 272092580230221 respectively, in response to the applications filed by the assessee, under section 5(1) of the Direct Tax Vivad se Vishwas Act, 2020, therefore the appeals of the assessee may be allowed to be withdrawn.

4. The Ld. DR did not object if appeals of the assessee are dismissed as withdrawn.

5. In view of the above the appeals of the assessee are dismissed as withdrawn.

6. In the result, appeals of the assessee are dismissed.

(Order Pronounced in the Court on 28.09.2021)

Sd/-
(SANDEEP GOSAIN)
Judicial Member

Sd/-
(N.K. SAINI)
Vice President

Dated . 28.09.2021

“आर.के.”

आदेशकीप्रतिलिपिअग्रेषित/ Copy of the order forwarded to :

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकरआयुक्त/ CIT
4. आयकरआयुक्त (अपील)/ The CIT(A)
5. विभागीयप्रतिनिधि, आयकरअपीलीयआधिकरण, चण्डीगढ़/ DR, ITAT, Jodhpur
6. गार्डफाईल/ Guard File

आदेशानुसार/ By order

सहायकपंजीकार/ Assistant Registrar