

IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCH "A", HYDERABAD

BEFORE SMT. P. MADHAVI DEVI, JUDICIAL MEMBER
AND
SHRI A. MOHAN ALANKAMONY, ACCOUNTANT MEMBER

ITA No.620/Hyd/2019		
Assessment Year: 2014-15		
Gnanendara Reddy Midade, Mahabubnagar – 509 228. PAN: BGHPM 8502 B (Appellant)	Vs.	The Income Tax Officer, Ward-2, Mahabubnagar. (Respondent)
Assessee by:	Sri K.A. Sai Prasad for K.C. Devdas	
Revenue by:	Smt. D. Komali Krishna	
Date of hearing:	15/09/2021	
Date of pronouncement:	16/09/2021	

ORDER

PER A. MOHAN ALANKAMONY, AM.:

This appeal is filed by the assessee against the order of the Ld. Principal Commissioner of Income Tax-4, Hyderabad in F. No. Pr.CIT-4/263/12/2017-18, dated 07/03/2019 passed U/s. 263 of the Act for the AY 2014-15.

2. At the outset, Ld.AR submitted before us that the assessee desires to withdraw his appeal as the assessee has opted to avail 'Vivad Se Viswas' scheme. He further submitted that the assessee had filed Form No.1 & 2 and Form-3 was also received from the Revenue. It was

therefore pleaded, that the appeal of the assessee may be allowed to be withdrawn.

3. The Ld. DR conceded to the request of the Ld.AR.

4. Having heard both the sides through video conference, we are inclined to allow the appeal of the assessee to be withdrawn yielding to the prayer of the Ld. AR as the assessee has preferred to avail the Vivad-se-Vishwas Scheme by filing Forms No.1, 2 and Form No.3 was also received from the Revenue. The Ld. DR has also conceded to the request of the Ld. AR. Accordingly, we hereby dismiss the appeal of the assessee as withdrawn. However, we also make it clear that, if the assessee's case is not accepted in the Vivad-Se-Viswas scheme by the Revenue for whatsoever may be the reason, then the assessee shall be at liberty to file a Miscellaneous Petition before the Tribunal within the time limit prescribed under the Act to reinstate the appeal. It is ordered accordingly.

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 In the result, appeal of the assessee is dismissed as withdrawn.

Pronounced in the open Court on the 16th September, 2021.

Sd/-
(P. MADHAVI DEVI)
JUDICIAL MEMBER

Sd/-
(A. MOHAN ALANKAMONY)
ACCOUNTANT MEMBER

Hyderabad, Dated: 16th September, 2021.

OKK

Copy to:-

- 1) Gnanendara Reddy Midade, H.No. 1-60, Panjarla Village, Kothur Mandal, Mahabubnagar – 509 228.
- 2) Income Tax Officer, Ward-2, Mahabubnagar.
- 3) The Principal Commissioner of Income Tax-4, Hyderabad.
- 4) The DR, ITAT, Hyderabad
- 5) Guard File