

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

**BEFORE SHRI R. K. PANDA ACCOUNTANT MEMBER
AND
SH. KULDIP SINGH, JUDICIAL MEMBER**

I.T.A. No. 4332/DEL/2019 (A.Y 2015-16)

(THROUGH VIDEO CONFERENCING)

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| <p>Suresh Kumar Garg HUF 143, Sitaram Apartment, Patparganj, New Delhi AAKHS6640E (APPELLANT)</p> | Vs | <p>ITO Ward-62(3) 22ND Floor, Block E-2, Dr. Shyama Prasad Mukherjee Civic Centre, New Delhi (RESPONDENT)</p> |
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|----------------------|-------------------------------|
| Appellant by | Sh. Pradeep Jha, CA |
| Respondent by | Sh. Om Prakash, Sr. DR |

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|------------------------------|-------------------|
| Date of Hearing | 27.10.2021 |
| Date of Pronouncement | 27.10.2021 |

ORDER

PER R. K. PANDA, AM

This appeal is filed by the assessee against the order dated 29/3/2019 passed by CIT(A)-38, New Delhi for assessment year 2015-16.

2. Before us, the Ld. AR submitted that the assessee has moved an application dated 01.10.2021 to resolve the pending issue through Direct Tax "Vivad se Vishwas Scheme" (VSV) Act, 2020, and has filed Declaration Form No. 1 & 2 and received Form No.3.

3. In view of the aforesaid facts and after considering the submissions of the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned

assessment year is not ultimately resolved in terms of the aforesaid Act, the assessee shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider the same. The appeal of the assessee is dismissed as withdrawn.

4. In the result, appeal of the assessee is dismissed.

**Order pronounced in the Open Court on this 27th Day of October, 2021
in presence of both the parties.**

**Sd/-
(KULDIP SINGH)
JUDICIAL MEMBER**

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

Dated : 27/ 10/2021

*R. Naheed **

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI

