

**आयकर अपीलीय अधिकरण, 'ए' न्यायपीठ, चेन्नई**  
**IN THE INCOME TAX APPELLATE TRIBUNAL, 'A' BENCH, CHENNAI**  
**श्री महावीर सिंह, उपाध्यक्ष एवं श्री जी. मंजुनाथ, लेखा सदस्य के समक्ष**  
**BEFORE SHRI MAHAVIR SINGH, VICE-PRESIDENT**  
**AND SHRI G.MANJUNATHA, ACCOUNTANT MEMBER**

S. No	ITA No.	Asstt Year	Assessee / Department	Respondent	Appellant by	Respondent by
1	504/Chny/2020	2015-16	Mr.Umesh Chand Jain 43,Venkatachalam Street , Park Town Chennai-600003. PAN:AGKPJ 3814D	Income Tax Officer , Non-Corporate Ward-6(3), Chennai.	None	Mr. Ar.V.Sreenivasan, Addl. CIT
2	506/Chny/2020	2012-13	Mr.Surya Prakash Sharma 309/5, Manmohan Plaza, Mint Street, Mint, Chennai-600 003. PAN: ABAPS 0290B	Income Tax Officer , Non-Corporate Ward-6(2), Chennai.	None	Mr. Ar.V.Sreenivasan, Addl. CIT
3	511/Chny/2020	2011-12	Mr. Rajesh Kumar Bantia 13, Chandrappa Mudali Street,Sowcarpet, Chennai-600003. PAN: AFHPR 9977D	Income Tax Officer , Non-Corporate Ward-6(1), Chennai.	None	Mr. Ar.V.Sreenivasan, Addl. CIT

सुनवाईकीतारीख/Date of hearing	:	10.11.2021
घोषणाकीतारीख /Date of Pronouncement	:	10.11.2021

**आदेश / ORDER**

**Per G.MANJUNATHA, AM:**

This bunch of three appeals filed by different assesseees are directed against orders of learned Commissioner of Income Tax (Appeals)-5, Chennai of even dated 17.12.2019 / 16.09.2019 / 07.11.2019 for respective assessment years.

2. At the time of hearing, none appeared on behalf of the assessee. We have heard learned DR and also perused the materials available on record. The assessee has filed a letter along with Form No.5 issued by the Department under 'Vivad se Vishwas Scheme, 2020' and submitted that the assessee has availed the VSVS scheme to settle its pending disputes. The assessee further submitted that the Department has accepted applications filed by the assessee and issued Form 5 quantifying amount of taxes payable under VSVS scheme. Therefore, the assessee submitted that both these appeals filed by the assessee may be dismissed as withdrawn. The ld. DR, on the other hand, has no objection for dismissing the appeals as the Designated Authority has issued Form 5. Therefore, considering the fact that the assessee has filed application for withdrawal of appeals and has also filed Form 5 issued by the Department, we dismiss these three appeals filed by the assessee as withdrawn. However, a liberty is given to the assessee to restore the appeals, in case the application filed by the assessee before the Designated Authority, is rejected for any reason.

3. In the result, these three appeals filed by assesseees are dismissed as withdrawn.

Order pronounced in the open court on 10<sup>th</sup> November, 2021

**Sd/-**

**(महावीर सिंह)**

**(Mahavir Singh)**

**उपाध्यक्ष/ Vice-President**

**चेन्नई/Chennai,**

**दिनांक/Dated 10<sup>th</sup> November, 2021**

**DS**

**Sd/-**

**( जी. मंजुनाथ )**

**(G. Manjunatha )**

**लेखा सदस्य / Accountant Member**

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. Appellant
2. Respondent
3. आयकर आयुक्त (अपील)/CIT(A)
4. आयकर आयुक्त/CIT
5. विभागीय प्रतिनिधि/DR
6. गार्ड फाईल/GF.