

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'G': NEW DELHI
(Through Video Conferencing)**

**BEFORE,
SHRI R.K.PANDA, ACCOUNTANT MEMBER
AND
SHRI SUDHANSHU SRIVASTAVA, JUDICIAL MEMBER**

**I.T.A No.365/Del/2017
(ASSESSMENT YEAR 2013-14)**

Sh. Salil Kumar Mishra 1187, C-Block, First Floor, Sushant Lok-1, Gurgaon-122 009. PAN-ABHPM 7902M (Appellant)	Vs.	Income Tax Officer, Ward-1(4) Gurgaon. (Respondent)
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Appellant By	None
Respondent by	Sh. Bhopal Singh, Sr. DR
Date of Hearing	02.11.2021
Date of Pronouncement	02.11.2021

ORDER

PER SUDHANSHU SRIVASTAVA, JM:

This appeal is preferred by the assessee against order dated 28.11.2016 passed by the Learned Commissioner of Income Tax (Appeals)-1, Gurgaon {CIT(A)} and pertains to Assessment Year 2013-14.

2.0 Through a written communication, the Ld. Authorized Representative (AR) has submitted that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under The Direct Tax Vivad se Vishwas Act, 2020. It has been stated that the necessary declaration in accordance with Section 4 of The Direct Tax Vivad se Vishwas Act, 2020 has been filed by the assessee. The Ld. AR has prayed for withdrawal of the appeal and Form-III has also been received.

3.0 Considering the aforesaid situation, the captioned appeal is consigned to the records and treated as dismissed.

4.0 However, the aforesaid is 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 appellant (i.e., the assessee) shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. The respondent (i.e., the Revenue) has no objection with regard to the aforesaid caveat.

5.0 In view of the aforesaid, the appeal is consigned to the records and, for statistical purposes, is treated as dismissed.

Above decision was announced on conclusion of Virtual Hearing on 02nd November, 2021.

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

Dated: 02/11/2021

PK/PS

Copy forwarded to:

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

Sd/-
(SUDHANSHU SRIVASTAVA)
JUDICIAL MEMBER

ASSISTANT REGISTRAR
ITAT, NEW DELHI