

आयकर अपीलिय अधिकरण, 'डी/ एस एम सी' न्यायपीठ, चेन्नई।  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**'D/SMC' BENCH: CHENNAI**

श्री वी दुर्गा राव. न्यायिक सदस्य के समक्ष  
**BEFORE SHRI V. DURGA RAO, JUDICIAL MEMBER**

आयकर अपील सं./ITA No.2240/Chny/2019  
निर्धारण वर्ष /Assessment Year: 2010-11

**Shri S.R.Senthilkumar,**  
4/131, Pallapatti,  
Alanganatham Post,  
Nammakkal – 637 013.  
**[PAN: CGXPS 2583K]**

**The Income Tax Officer,**  
Ward-2,  
**Vs. Namakkal.**

(अपीलकर्ता/**Appellant**)

(प्रत्यर्थी/**Respondent**)

अपीलकर्ता की ओर से/ Appellant by : None  
प्रत्यर्थी की ओर से /Respondent by : Mr. P. Sajit Kumar, JCIT

सुनवाई की तारीख/Date of Hearing : 11.11.2021  
घोषणाकी तारीख /Date of Pronouncement : 11.11.2021

**आदेश / O R D E R**

**Per V. Durga Rao, Judicial Member:**

This appeal filed by the assessee is directed against the order of the Learned Commissioner of Income Tax (Appeals), Salem in I.T.A No.172/2017-18 dated 16.05.2019 relevant to the Assessment Year 2010-11.

2. When this appeal was taken up for hearing, *none* appeared on behalf of the assessee. However, the assessee filed copy of Form No.4 along with petition and also submitted that Form No.5 is yet to be

received towards settlement of disputed tax under Vivad-se-Vishwas Scheme 2020 and prayed for withdrawal of the appeal of the assessee. The learned DR fairly conceded the submissions of the learned counsel.

3. The Ld. D.R has been heard, perused the materials available on record and gone through the Form No.4.

4. It is found that the assessee has been received Form-4 from designated authority on 24.04.2021 under Vivad Se Vishwas Scheme, thereby, the designated authority has yet to issue Form No.5 towards settlement of disputed tax and thus, the appeal filed by the assessee is liable to be dismissed as withdrawn. Accordingly, the appeal filed by the assessee is dismissed as withdrawn.

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 In the result, the appeal filed by the assessee is dismissed as withdrawn.

*Order pronounced in the open Court on 11<sup>th</sup> November, 2021 in Chennai.*

Sd/-  
(वी दुर्गा राव)  
(V. DURGA RAO)  
न्यायिक सदस्य/JUDICIAL MEMBER

चेन्नई/Chennai, दिनांक/Dated: 11<sup>th</sup> November, 2021.  
EDN/-

आदेश की प्रतिलिपि अग्रेषित/**Copy to:**

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