

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

**BEFORE SMT. DIVA SINGH, JUDICIAL MEMBER  
AND  
SHRI N.K. BILLAIYA, ACCOUNTANT MEMBER**

**I.T.A No. 6002/Del/2018  
(ASSESSMENT YEAR: 2014-15)**

Sanjay Kumar Jain S/o Shri Trilok Chand Jain, C- 5/256, Sector-31, Noida Uttar Pradesh ABSPJ1313J	Vs.	ITO Ward-3(3) Aayakar Bhawan, A-2D, Sector-24, Noida
<b>(Appellant)</b>		<b>(Respondent)</b>

Appellant By	None
Respondent by	Shri Umesh Takyar, Sr. DR

Date of Hearing	<b>01.12.2021</b>
Date of Pronouncement	<b>0312.2021</b>

**Hearing conducted via Webex**

**ORDER**

**PER DIVA SINGH, J.M.**

The present appeal has been filed by the assessee, wherein the correctness of the order dated 29/06/2018 of CIT(A)-1, Noida, pertaining to 2014-15 assessment year is assailed on various grounds.

2. The appeal came up for hearing on 30<sup>th</sup> November, 2011. None was present on behalf of the assessee. Ld. Sr. DR Shri Umesh Takyar submitted that he has got the assessee's e-mail letter praying for withdrawal of the present appeal. Since, the said letter is not available with the Registry. The hearing was adjourned to the next date.

3. As a result of these reasons the appeal has come up for hearing before us today. E-mail of the assessee is available on record. For the sake of completeness, it is reproduced hereunder:-

*“Kindly refer to the above subject.*

*We wish to withdraw our appeal since we have already opted for ‘Vivad is Vishwas Scheme’ (“VSVS”) 2020 and the due tax has also been deposited, there is no use to attend appeal before the Hon’ble ITAT, hence the appeal is hereby withdrawn.*

*Regards*

*Yours Sincerely,*

*HIFZUL HASNAIN*

*Authorized Representative”*

3. Ld. Sr. DR states that he has no objection to the withdrawal.

4. In view of the aforesaid facts and after considering the submissions of the assessee, we dismiss the appeal of the assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 The appeal of the assessee is dismissed as withdrawn.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 03<sup>rd</sup> Day of December, 2021 in presence of both the parties.

**Sd/-**

**(N.K. BILLAIYA)**

**ACCOUNTANT MEMBER**

*\*R. N. Sr.PS*

**Sd/-**

**(DIVA SINGH)**

**JUDICIAL MEMBER**

