

IN THE INCOME TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT
BEFORE SHRI PAWAN SINGH, JUDICIAL MEMBER AND
Dr. ARJUN LAL SAINI, ACCOUNTANT MEMBER
ITA No. 322/SRT/2019 (AY 2013-14)
(Hearing in **Physical** Court)

Smt. Naliniben Bharatbhai Patel, Patel Faliyu, Gangapur Gangadhara, Tal. Palsansa, Surat-394 310 PAN : CBZPP 0383 D	Vs	Income Tax Officer, Ward-1, Bardoli, Room No.618, Aaykar Bhavan, Nr. Charpool, Navsari-396445
Applicant / Assessee		Respondent / Revenue

Assessee by	Mrs. Chetali Shah, C.A
Revenue by	Mrs. Anupama Singla, Sr-DR
Date of hearing	03.12.2021
Date of pronouncement	03.12.2021

Order under section 254(1) of Income Tax Act

PER PAWAN SINGH, JUDICIAL MEMBER:

1. This appeal by assessee is directed against the orders of Id. Commissioner of Income tax (Appeals)-1 Surat, dated 10.04.2019, which in turn arise from the assessment order under section 144 of the Income Tax Act, 1961 dated 28.03.2016 for assessment year (AY) 2013-14. The appeal came up hearing on today (03.12.2021). At the time of hearing the learned authorised representative (AR) of the assessee submits that the assessee has applied for seeking the benefits of Vivad se Visvas Scheme -2020 (VSV-20) and received Form-3 of VSV-20 from designated authority. The learned counsel for the assessee further submits that she may be allowed to withdraw this appeal.
2. On the other hand the learned Senior Departmental Representative (Sr. DR) submits that he has no objection, if the appeal of the assessee is dismissed.

3. We have considered the submissions of both the parties and considering the facts that the assessee has already filed application before the prescribed authority under VSV-20 and have received Form-3 vide acknowledgement No. 241723420050221 dated 05.02.2021 from designated authority. Hence, the appeal of the assessee is dismissed as withdrawn with liberty to the assessee as well as to the revenue that in case, if the application preferred by the assessee under VSV-20 does not get finally settled for any reason whatsoever, then both the parties are at liberty to prefer Miscellaneous Application before this Tribunal for restoration of this appeal or any further direction and in such event, the appeals shall get restored. The assessing officer is directed to pass the consequential order.
4. In the result the appeal of the assessee is dismissed as withdrawn.

Order announced at the time of hearing of appeal on 3rd December 2021 in the Physical Court hearing.

Sd/-

(Dr ARJUN LAL SAINI)

ACCOUNTANT MEMBER

Surat, Dated: 03/12/2021

DKP Outsourcing Sr P.S

Copy to:

1. Appellant
2. Respondent
3. CIT(A)
4. CIT
5. DR
6. Guard File

// True Copy //

Sd/-

PAWAN SINGH)

JUDICIAL MEMBER

By order

Assistant Registrar, ITAT, Surat