

आयकर अपीलीय अधिकरण, 'डी' न्यायपीठ, चेन्नई।  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**'D' BENCH: CHENNAI**

श्री वी दुर्गा राव, न्यायिक सदस्य एवं श्री मनोज कुमार अग्रवाल, लखा सदस्य क समक्ष  
**BEFORE SHRI V. DURGA RAO, JUDICIAL MEMBER AND**  
**SHRI MANOJ KUMAR AGGARWAL, ACCOUNTANT MEMBER**

आयकर अपील सं./ITA No.266/Chny/2020  
निर्धारण वर्ष /Assessment Year: 2016-17

**Shri Vijayakumar Radhakrishnan,**  
G-8, Vasanth Apartments,  
100 Feet Bye Pass Road, Velachery,  
Chennai – 600 042.

**[PAN: AMIPR 3205Q]**

(अपीलार्थी/Appellant)

**The Income Tax Officer,**  
Non-Corporate Ward-18(2),  
Chennai. **Vs.**

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर सAppellant by : Mr. S. Sridhar, Advocate  
प्रत्यर्थी की ओर सRespondent by : Mr. V Justin, Addl. CIT  
सुनवाई की तारीख/Date of Hearing : 06.12.2021  
घोषणा की तारीख /Date of Pronouncement : 06.12.2021

**आदेश / ORDER**

**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)-15, Chennai in I.T.A No.108/CIT(A)-15/2018-19 dated 13.12.2019 relevant to the Assessment Year 2016-17.

2. By filing Form No.5, it was the submission of the learned counsel for the assessee that the assessee has paid the dues under Vivad Se

Vishwas Scheme and the designated authority has issued Form No.5 on 28.10.2021 in the appeal. Thus, it was prayed for withdrawal of the appeal filed by the assessee. Against which, the learned DR fairly conceded the submissions of the learned counsel.

3. We have heard both the sides, perused the materials available on record and gone through the Form No.5.

4. We find that the assessee has already paid the dues under Vivad Se Vishwas Scheme, thereby, the designated authority has issued Form No.5 and thus, the appeal filed by the assessee is liable to be dismissed as withdrawn. Accordingly, the appeal filed by the assessee is dismissed as withdrawn.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 In the result, the appeal filed by the assessee is dismissed as withdrawn.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 on 06<sup>th</sup> December, 2021 in Chennai.*

Sd/-  
(मनोज कुमार अग्रवाल)  
(MANOJ KUMAR AGGARWAL)  
लेखक सदस्य/ACCOUNTANT MEMBER

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

चेन्नई/Chennai, दिनांक/Dated: 06<sup>th</sup> December, 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