

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

**BEFORE SHRI SAKTIJIT DEY, JUDICIAL MEMBER**

ITA No.948/Del/2020  
Assessment Year: 2011-12

Sh. Surendra Kapoor HUF, H. No. 1669, Sec-8, Faridabad	<b>Vs.</b>	Income Tax Officer, Ward-11(4), Faridabad
<b>PAN : AAQHS6817R</b>		
<b>(Appellant)</b>		<b>(Respondent)</b>

Appellant by	Sh. Alok Kr. Gupta, CA
Respondent by	Sh. Om Prakash, Sr.DR

Date of hearing	22.12.2021
Date of pronouncement	22.12.2021

**ORDER**

This is an appeal against order dated 30.12.2019 of learned Commissioner of Income Tax (Appeals), Faridabad, pertaining to assessment year 2011-12.

**2.** At the outset, learned counsel appearing for the assessee, on instruction, sought permission for withdrawal of the appeal as the assessee has opted for settling the dispute under the Direct Tax Vivad Se Vishwas Act, 2020. A letter dated 17.12.2021, to this effect, filed by learned counsel is also kept on record.

**3.** Learned Departmental Representative did not express any objection to the aforesaid request of the assessee.

4. Having heard the parties and perused the material on record, I find that the assessee has opted for settling the dispute arising in the appeal under the Direct Tax Vivad Se Vishwas Act, 2020. Further, in pursuance to certificate issued in Form No. 3 by the designated authority, the assessee has also paid the tax due and filed Form No. 4.

5. In view of the aforesaid, accepting assessee's request, I permit withdrawal of the present appeal. Accordingly, appeal is dismissed as withdrawn. However, in the unlikely event of assessee's declaration under Direct Tax Vivad Se Vishwas Act, 2020 not being accepted for any reason, liberty is granted to the assessee to seek recall of the order and restoration of the appeal.

6. In the result, the appeal is dismissed as withdrawn.

***Order pronounced in the open court on 22<sup>nd</sup> December, 2021***

**Sd/-  
(SAKTIJIT DEY)  
JUDICIAL MEMBER**

Dated: 22<sup>nd</sup> December, 2021.

RK/-

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi