

आयकर अपीलीय अधिकरण, 'सी' न्यायपीठ, चेन्नई  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
'C' BENCH, CHENNAI

श्री महावीर सिंह, उपाध्यक्ष एवं श्री मनोज कुमार अग्रवाल, लेखा सदस्य के समक्ष  
**BEFORE SHRI MAHAVIR SINGH, VICE PRESIDENT AND**  
**SHRI MANOJ KUMAR AGGARWAL, ACCOUNTANT MEMBER**

आयकर अपील सं./ITA No.: 335/CHNY/2020

निर्धारण वर्ष /Assessment Year: 2009 - 10

**M/s. Ennar Estates &  
Holdings Pvt. Ltd.,**  
New No.14, Old No.12,  
"Sundaram", 54<sup>th</sup> Street,  
Ashok Nagar,  
Chennai - 600 083.

**The Income Tax Officer,**  
v. Corporate Ward-2(1),  
Chennai - 34.

**PAN : AAACE 9609G**

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/Appellant by  
प्रत्यर्थी की ओर से/Respondent by

: Shri T. Banusekar, CA  
: Shri G. Johnson, Addl.CIT

सुनवाई की तारीख/Date of Hearing

: 22.12.2021

घोषणा की तारीख/Date of Pronouncement

: 22.12.2021

**आदेश /O R D E R**

This appeal filed by the assessee is directed against the order of learned Commissioner of Income Tax (Appeals)-6, Chennai in ITA No.172/CIT(A)-6/2018-19 dated 04.12.2019 for the assessment year 2009-10.

2. At the time of hearing, the Id.AR for the assessee stated that the assessee wants to utilize the Direct Taxes 'Vivad se Vishwas Scheme, 2020' to settle pending dispute relating to Direct Taxes. The Id.AR has also stated that the assessee had paid the tax amount as per Form 3 and in this regard, submitted Form 5 issued by PCIT and requested for withdrawal of appeal. Therefore, once the assessee has filed Form 5 and settled pending dispute regarding direct taxes, then there is no point in keeping appeal filed by the assessee and hence, I dismiss the appeal filed by the assessee as withdrawn.

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 In the result, the appeal filed by the assessee is dismissed as withdrawn.

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

Sd/-

(मनोज कुमार अग्रवाल)

**(MANOJ KUMAR AGGARWAL)**

लेखा सदस्य /ACCOUNTANT MEMBER

Sd/-

(महावीर सिंह)

**(MAHAVIR SINGH)**

उपाध्यक्ष /VICE PRESIDENT

चेन्नई/Chennai,

दिनांक/Dated, the 22<sup>nd</sup> December, 2021

**RSR**

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.            |