

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "B" NEW DELHI**

(Convened through Virtual Court)

**BEFORE SHRI KULBHARAT, JUDICIAL MEMBER
AND
SHRI PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER**

आयकर अपील सं./I.T.A. No.143/Del/2017
(निर्धारण वर्ष / Assessment Year : 2012-13)

ACIT Sector- 24 Noida	बनाम/ Vs.	DNATA International Pvt. Ltd. Windsor IT Park, Tower-B, 1 st Floor, Level A-1, Sector -125 Noida
स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. AADCD7460P		
(अपीलार्थी /Appellant)	..	(प्रत्यर्थी / Respondent)

अपीलार्थी ओर से /Appellant by :	Sh. Rajesh Kumar Dhanesta, Sr. DR
प्रत्यर्थी की ओर से / Respondent by :	Sh. Kshitij Bansal, CA

सुनवाई की तारीख / Date of Hearing	31.01.2022
घोषणा की तारीख /Date of Pronouncement	31.01.2022

आदेश/ORDER

PER PRADIP KUMAR KEDIA, AM:

The captioned appeal has been filed at the instance of the Revenue against the order of the Commissioner of Income Tax (Appeals)-I, Noida ('CIT(A)' in short), dated 28.10.2016 concerning AY 2012-13.

2. When the matter was called for hearing in the captioned Revenue's appeal, Learned Counsel for the assessee at the outset submitted that the designated authority has already granted certificate electronically to the declarant assessee admitting request of the assessee for settlement of dispute under 'Vivad Se Vishwas Scheme 2020' (VSV) read with rules framed thereunder. The Ld. Counsel accordingly submitted that he does not seek to defend the said appeal owing to exercise of option for availing VSV scheme and consequently urged that assessee request for closure of Revenue's appeal may please be granted.

3. In the light of written requests made on behalf of the captioned Assessee, the appeal is dismissed as withdrawn in limine. However, in the event, the Assessee fails to avail the benefit of VSV Scheme for any bonafide reasons, then the Revenue will be at liberty to seek restoration of original appeal for hearing before ITAT in accordance with law.

4. In the result, the captioned appeal filed by the revenue is dismissed as withdrawn.

This Order pronounced on 31/01/2022

Sd/-
(KUL BHARAT)
JUDICIAL MEMBER

Dated: 31/01/2022

Neha

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

Sd/-
(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI

Date of dictation	31.01.2022
Date on which the typed draft is placed before the dictating Member	31.01.2022
Date on which the typed draft is placed before the Other Member	31.01.2022
Date on which the approved draft comes to the Sr. PS/PS	31.01.2022
Date on which the fair order is placed before the Dictating Member for pronouncement	31.01.2022
Date on which the fair order comes back to the Sr. PS/PS	31.01.2022
Date on which the final order is uploaded on the website of ITAT	31.01.2022
Date on which the file goes to the Bench Clerk	
Date on which the file goes to the Head Clerk	