

IN THE INCOME TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT
BEFORE SHRI PAWAN SINGH, JUDICIAL MEMBER AND
Dr. ARJUN LAL SAINI, ACCOUNTANT MEMBER

ITA No.170/SRT/2019 For AY: 2010-11

(Hearing in Virtual Court)

Jairam Gulumal Diyalani, M/s.Tulsi Saree, Main Bazar, Jambusar, Dist. Bharuch, Gujarat – 392150. PAN : ACGPD 8463 L Mail Id: incometax@vijaytewar.com	V s.	The Income Tax Officer, Ward-1(5), Bharuch.
Applicant		Respondent

Assessee by	Shri Mehul K.Patel – AR
Revenue by	Shri H.P.Meena –CIT(DR)
Date of hearing	06.01.2022
Date of pronouncement	06.01.2022

Order under section 254(1) of Income Tax Act

PER PAWAN SINGH, JM :

1. This appeal by the assessee is directed against the order of Id.Commissioner of Income Tax (Appeals)-3, Vadodara, dated 07.12.2018, which in turn arises from the assessment order under section 143(3) of the Income Tax Act, 1961 dated 29.12.2016 for Assessment Year 2010-11. This appeal came up hearing on 6th January 2022, the assessee via email dated 05.01.2022 submitted the application that the assessee has already settled her dispute with department under Vivad Se-Vishwas Scheme- 2020 and received Form-3 vide Certificate No. 802876500101220, dated 10.12.2020 from Designated Authority. The assessee prayed for withdraw of his appeal.
2. Sh. Mehul K.Patel, Advocate appeared on behalf of the assessee when appeal was called for hearing in physical hearing at court room and prayed for withdrawal of this Appeal.

3. The learned Senior Departmental Representative (Sr. DR) submits that she has no objection, if the appeal of the assessee in ITA No.170/SRT/2019 is dismissed as withdrawn.
4. We have considered the submissions of Ld.Sr.DR for the Revenue and have seen the contents of the application for withdrawal of appeal. We have also seen the contents of Form-3 of VSVS-2020. Considering the facts that the assessee has already settled the dispute of tax with revenue and have received Form-3 under VSV Scheme-2020 vide Acknowledgement Certificate No. 802876500101220, dated 10.12.2020 from designated authority. The appeal of the assessee in ITA No.170/SRT/2019 is dismissed as withdrawn. Both the parties are given liberty to move appropriate application, if for any reason the case are not finally settled. The Assessing Officer is directed to pass consequent order.
5. In the result, appeal of the assessee is dismissed as withdrawn.

Order announced in the Open Court on 6th January, 2022 in the Virtual Court of hearing.

Sd/-

(Dr ARJUN LAL SAINI)
ACCOUNTANT MEMBER

Surat, Dated: 06/01/2022 / *SGR

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

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