



**IN THE INCOME TAX APPELLATE TRIBUNAL
LUCKNOW BENCH "A", LUCKNOW**

**BEFORE SHRI. A. D. JAIN, VICE PRESIDENT
AND SHRI T. S. KAPOOR, ACCOUNTANT MEMBER**

ITA No.124/LKW/2020
Assessment Year: 2015-16

The Income Tax Officer 2(3) Kanpur	v.	Smt. Priyanka Agnihotri (Shukla) E-20, Anand Cottager, 117/K/13, Gutaiya, Moti Vihrar, Sarvodaya Nagar Kanpur
		TAN/PAN:AZVPS9208G
(Appellant)		(Respondent)

Appellant by:	Shri Harish Gidwani, D.R.		
Respondent by:	Application of the assessee.		
Date of hearing:	10	03	2022
Date of pronouncement:	28	03	2022

ORDER

PER A.D. JAIN, V.P.:

This is Revenue's appeal against the order of the Id. CIT(A)-I, Kanpur, dated 15.11.2018 for Assessment Year 2015-16.

2. The assessee has submitted an application dated 7.2.2022, received in the Registry of this Office on 14.2.2022, vide which it has been submitted that the Income Tax Department has passed Order in Form No.5 on 30.9.2021 under the Vivad Se Vishwas Scheme. The assessee has filed the copy of Form No.5, i.e., the order of the PCIT-1, Kanpur for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for Assessment Year 2015-16. The assessee has also filed the copies of Form No.3, i.e., Form for certificate under sub-

section (1) of section 5 of the DTVSA, 2020 and Form No.4, i.e., intimation of payment under sub-section (2) of Section 50F of DTVSA, 2020. It was contended that since the assessee has opted for Vivad Se Viswas Scheme and tax payable on the Departmental appeals has been deposited and order for final settlement of tax arrears has been passed by the designated authority, therefore, the appeal filed by the Department may be dismissed as withdrawn. The ld. D. R. has no objection. Accordingly, since order has been passed by the PCIT-1, Kanpur for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for Assessment Year 2015-16, the appeal of the Department is ordered to be dismissed as withdrawn.

3. In the result, the appeal of the Revenue is dismissed.

Order pronounced in the open Court on 28/03/2022.

Sd/-
[T. S. KAPOOR]
ACCOUNTANT MEMBER

Sd/-
[A. D. JAIN]
VICE PRESIDENT

DATED:28/03/2022

JJ:

Copy forwarded to:

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

By order

Assistant Registrar