



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

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

ITA No.84/LKW/2020
Assessment Year: 2010-11

The ITO-1(1) Kanpur	v.	Shri Ashok Kumar Maheshwari 34/45, Chawal Mandi Kanpur
		TAN/PAN:AARPM1903H
(Appellant)		(Respondent)

ITA No.85/LKW/2020
Assessment Year: 2015-16

The ITO-1(1) Kanpur	v.	Shri Abhishek Agarwal 510-511. City Centre 63/2, The Mall Kanpur
		TAN/PAN:AHSPA3513H
(Appellant)		(Respondent)

ITA No.86/LKW/2020
Assessment Year: 2015-16

The ITO-1(1) Kanpur	v.	Shri Aditya Agarwal 15/294. Civil Lines Kanpur
		TAN/PAN:AAEHA0412Q
(Appellant)		(Respondent)

ITA No.87/LKW/2020
Assessment Year: 2015-16

The ITO-1(1) Kanpur	v.	Shri Ankit Agarwal 510-511. City Centre 63/2, The Mall Kanpur
		TAN/PAN:AKAPA6051D
(Appellant)		(Respondent)

Appellant by:	Shri Harish Gidwani, D.R.		
Respondent by:	Applications by the assesseees		
Date of hearing:	28	03	2022
Date of pronouncement:	05	04	2022

ORDER

PER BENCH:

These are Revenue's appeals against the respective order of the Id. CIT(A)-I, Kanpur, for Assessment Years 2010-11 and 2015-16, relating to four different assesseees.

2. The assesseees have moved applications, vide which it has been submitted that the Income Tax Department has passed Orders in Form No.5 under the Vivad Se Vishwas Scheme. The assesseees have filed the copies of Form No.5, i.e., the orders 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 Years 2010-11 and 2015-16. It was contended that since the assesseees have opted for Vivad Se Vishwas Scheme and tax payable on the Departmental appeals has been deposited and orders for final settlement of tax arrears have been passed by the designated authority, therefore, the appeals filed by the Department may be dismissed as withdrawn. The Id. D. R. has no objection. Accordingly, since orders have 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 Years 2010-11 and 2015-16, the appeals of the Department in ITA Nos.84 to 87/LKO/2020 are ordered to be dismissed as withdrawn.

3. In the result, the appeals of the Revenue are dismissed.

Order pronounced in the open Court on 05/04/2022.

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

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

DATED:05/04/2022

JJ:

Copy forwarded to:

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

By order

Assistant Registrar