

**IN THE INCOME TAX APPELLATE TRIBUNAL
CIRCUIT 'SMC' BENCH, VARANASI**

BEFORE SHRI.VIJAY PAL RAO, JUDICIAL MEMBER

**ITA No.111/VNS/2019
Assessment Year: 2014-15**

Sudhanshu Modi, 323, UGF, Baldev Plaza, Golghar, Gorakhpur, U.P. PAN-ALOPM5369D	v.	Asstt. Commissioner of Income Tax, Circle-2, Gorakhpur
(Appellant)		(Respondent)

Appellant by:	None
Respondent by:	Sh. A.K. Singh, Sr. D.R.
Date of hearing:	23.03.2022
Date of pronouncement:	23.03.2022

ORDER

SHRI VIJAY PAL RAO, JUDICIAL MEMBER:

This appeal by the assessee is directed against the order dated 8.4.2019 of CIT(A), Gorakhpur for the assessment year 2014-15. The assessee has filed an application dated 23.02.2022 for withdrawal of the present appeal in view of the settlement of the tax dispute under Vivad Se Vishwas Scheme, 2020. The assessee has also filed a copy of Form No. 5 issued by the Designated Authority on 16.11.2021 accepting the declaration of the assessee and to settle the tax dispute for the assessment year 2014-15 in ITA No. 111/VNS/2019.

2. The learned DR has raised no objection if the present appeal of the assessee is dismissed as withdrawn. Accordingly, in view of the fact that the assessee has already opted for Vivad Se Vishwas Scheme, 2020 to settle its tax dispute involved in the present appeal and the competent authority has issued Form No. 5 dated 16.11.2021 accepting the declaration and settlement of dispute under Vivad Se Vishwas Scheme, 2020, the present appeal of the assessee is allowed to be withdrawn and consequently the same is dismissed being withdrawn.

3. In the result, the appeal of the assessee is dismissed being withdrawn pursuant to the settlement of tax dispute under Vivad Se Vishwas Scheme, 2020.

Order pronounced in the open Court after conclusion of hearing on 23.03.2022.

Sd/-
[VIJAY PAL RAO]
JUDICIAL MEMBER

DATED: 23/03/2022

Varanasi

Sh

Copy forwarded to:

1. Appellant-Sudhanshu Modi
2. Respondent-ACIT
3. CIT(A), Allahabad
4. CIT
5. DR

By order
Assistant Registrar