

INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "A": NEW DELHI

BEFORE SHRI PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER
AND
SHRI N. K. CHOUDHRY, JUDICIAL MEMBER

ITA No. 6821/Del/2018
(Assessment Year: 2012-13)

Adarsh Mahila Mercantile Co- operative Bank Ltd, 10A, New Mandi, Muzaffarnagar, Uttar Pradesh PAN: AAAJA1597Q (Appellant)	Vs. DCIT, Circle-1, Muzaffarnagar (Respondent)
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Assessee by :	Shri Nippun Mittal, Ld. CA
Revenue by:	Shri Sanjay Kumar, Ld. Sr. DR

Date of Hearing	02/05/2022
Date of pronouncement	02/05/2022

ORDER

PER N.K. CHOUDHRY, J. M.:

1. This appeal has been preferred by the Assessee against the order dated 28.08.2018 impugned herein, passed by the Id. Commissioner of Income Tax (Appeals), Muzaffarnagar, for the assessment year 2012-13.
2. The Assessee has preferred the instant application under consideration for withdrawal of the appeal.
3. During the course of hearing, the Ld. Counsel for the Assessee submitted that since the Assessee has availed the immunity scheme i.e. Vivad Se Vishwas under The Direct Tax Vivad se Vishwas Act, 2020 and the Income Tax Department has issued Form No. 5 in

response to the application filed by the Assessee under the scheme, therefore the appeal of the Assessee may be allowed to be dismissed as withdrawn with liberty to seek recall of the order in case any unforeseen circumstances would arise in future.

4. The Ld. Sr. DR did not raise any objection, on the request of the Assessee for withdrawal of Appeal.

5. Having heard the parties and perused the application for withdrawal of the appeal and Form No. 5 dated 22.03.2021 (Copy already on record) issued by Pr CIT, Dehradun, considering the facts and circumstances, the appeal of Assessee is liable to be dismissed as withdrawn with liberty as prayed for in accordance of law, hence ordered accordingly.

6. In the result, instant appeal of the Assessee stands dismissed as withdrawn.

Order pronounced in the open court on 02/05/2022.

-Sd/-
(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER

-Sd/-
(N.K. CHOUDHRY)
JUDICIAL MEMBER

Dated: 02/05/2022
A K Keot

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1. Applicant
2. Respondent
3. CIT
4. CIT (A)
5. DR:ITAT

ASSISTANT REGISTRAR
ITAT, New Delhi