

**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. 118/Lkw/2019  
Assessment Year 2015-16

Income Tax Officer, Ward-1(5), Kanpur	Vs.	Smt. Usha Tulsiyan, Anand Cottage, No.5, 117/L/13, E-5, Moti Vihar, Sarvodaya Nagar, Kanpur PAN –ACAPT7027Q
(Appellant)		(Respondent)

C.O. No.21/Lkw/2019  
[In ITA No. 118/Lkw/2019]  
Assessment Year 2015-16

Smt. Usha Tulsiyan, Anand Cottage, No.5, 117/L/13, E-5, Moti Vihar, Sarvodaya Nagar, Kanpur PAN –ACAPT 7027Q	Vs.	Income Tax Officer, Ward-1(5), Kanpur
(Appellant)		(Respondent)

Appellant by	None (Application for Withdrawal under VSVS)
Respondent by	Smt. Sheela Chopra, CIT(DR)
Date of hearing	28/04/2022
Date of pronouncement	29/04/2022

**ORDER**

**PER BENCH :**

This appeal has been filed by the Revenue against the order of Id. CIT(A)-I, Kanpur dated 28.11.2018 pertaining to A.Y. 2015-16. The assessee has filed Cross objection.

2. It was noticed that the assessee has submitted an application, received in the Registry of this Office on 01.02.2022, vide which it has been submitted that Commissioner of Income Tax, has issued a certificate in Form No.3 on 08.12.2022 under Vivad Se Vishwas Scheme and assessee has deposited the due amount against which the Pr. Commissioner of Income Tax-1, Kanpur, has issued a certificate in Form No.5 on 15.11.2021. A copy each of such Form No.3 and Form No. 5 have also been filed. Since the assessee has deposited the tax as mentioned in Form No.3, therefore, the appeal of the Revenue and C.O. of the assessee become infructuous and are dismissed as such.

3. In the result, the appeal of the Revenue and C.O. of the assessee are dismissed.

(Order pronounced in the open court on 29/04/2022)

**Sd/-**  
**(T.S. Kapoor)**  
**Accountant Member**

**Sd/-**  
**(A.D. Jain)**  
**Vice President**

Aks -  
Dtd. 29/04/2022

*Copy of order forwarded to:*

<i>(1) The appellant</i>	<i>(2) The respondent</i>
<i>(3) Commissioner</i>	<i>(4) CIT(A)</i>
<i>(5) Departmental Representative</i>	<i>(6) Guard File</i>

Assistant Registrar