

आयकर अपीलीय अधिकरण न्यायपीठ रायपुर में।
**IN THE INCOME TAX APPELLATE TRIBUNAL,
RAIPUR BENCH, RAIPUR**

(Through Virtual Court)

**BEFORE SHRI RAVISH SOOD, JUDICIAL MEMBER
AND
SHRI JAMLAPPA D BATTULL, ACCOUNTANT MEMBER**

आयकर अपील सं. / ITA No. 56/RPR/2018

निर्धारण वर्ष / Assessment Year : 2008-09

M/s. Mangilal Pagariya Builders Pvt. Ltd.
28, Vivekanand Nagar,
Raipur (C.G.)
PAN : AAECM6586C

.....अपीलार्थी / Appellant

बनाम / V/s.

The Income Tax Officer-3(1),
Raipur (C.G.)

.....प्रत्यर्थी / Respondent

Assessee by : Shri Veekaas S Sharma, AR

Revenue by : Shri Gitesh Kumar, DR

सुनवाई की तारीख / Date of Hearing : 12.05.2022

घोषणा की तारीख / Date of Pronouncement : 12.05.2022

आदेश / ORDER

PER RAVISH SOOD, JM:

The present appeal filed by the assessee is directed against the order passed by the CIT(Appeals)-1, Raipur (C.G.) dated 02.02.2018, which in turn arises from the order passed by the A.O under Sec. 143(3) r.w.s. 147 of the Income-tax Act, 1961 (for short 'the Act'), dated 12.02.2016 for assessment year 2008-09.

2. The assessee company has filed a letter dated 11.05.2022, wherein it is stated that in order to settle the aforesaid appeal pending before the Tribunal an application has been filed under the Direct Tax Vivad se Vishwas Act, 2020. During the course of hearing of the appeal, it was stated by the Ld. Authorized Representative (in short 'AR') for the assessee that "Form 5" have been issued by the designated authority. Backed by the aforesaid facts it is requested that the captioned appeal may be allowed to be withdrawn.

3. The Id. D.R did not controvert the aforesaid factual position as had been stated before us.

4. In view of the above we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme, then, the appellant shall have liberty to approach the Tribunal for restoration of its appeal.

5. Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in open court on 12th day of May, 2022.

Sd/-
JAMLAPPA D BATTULL
ACCOUNTANT MEMBER

Sd/-
RAVISH SOOD
JUDICIAL MEMBER

रायपुर/ RAIPUR ; दिनांक / Dated : 12th May, 2022

SB

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(Appeals)-1, Raipur (C.G)
4. The Pr. CIT-1, Raipur (C.G)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, रायपुर बेंच,
रायपुर / DR, ITAT, Raipur Bench, Raipur.
6. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

निजी सचिव / Private Secretary
आयकर अपीलीय अधिकरण, रायपुर / ITAT, Raipur.

		Date	
1	Draft dictated on	12.05.2022	Sr.PS/PS
2	Draft placed before author	12.05.2022	Sr.PS/PS
3	Draft proposed and placed before the second Member		JM/AM
4	Draft discussed/approved by second Member		AM/JM
5	Approved draft comes to the Sr. PS/PS		Sr.PS/PS
6	Kept for pronouncement on		Sr.PS/PS
7	Date of uploading of order		Sr.PS/PS
8	File sent to Bench Clerk		Sr.PS/PS
9	Date on which the file goes to the Head Clerk		
10	Date on which file goes to the A.R		
11	Date of dispatch of order		