



**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.435/LKW/2016
Assessment Year: 2013-14

The Income Tax Officer 5(3) Range 5 Lucknow	v.	M/s Rajarya Housing Developers Pvt. Ltd. 133, 274, Sharda Sadan Fatehganj, Aminabad Lucknow
		TAN/PAN:AAECR3606E
(Appellant)		(Respondent)

Appellant by:	Shri Harish Gidwani, D.R.		
Respondent by:	Application, dated 29.3.2022 by the Counsel of the assessee.		
Date of hearing:	18	05	2022
Date of pronouncement:	19	05	2022

ORDER

PER A.D. JAIN, V.P.:

This is Revenue's appeal against the order of the ld. CIT(A)-II, Lucknow, dated 11.5.2016 for Assessment Year 2013-14.

2. The ld. Counsel for the assessee has submitted an application dated 29.3.2022, received in the Registry of this Office on 29.3.2022, vide which it has been submitted that the Income Tax Department has passed Order in Form No.5 on 1.2.2022 under the Vivad Se Vishwas Scheme. The assessee has filed the copy of Form No.5, i.e., the order of the PCIT, Lucknow for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for Assessment Year 2013-14. It was contended that since the assessee has opted for Vivad

Se Viswas Scheme and tax payable on the Departmental appeal has been deposited and order for final settlement of tax arrears has been passed by the designated authority, therefore, the appeal filed by the Department may be dismissed as withdrawn. The Id. D. R. has no objection. Accordingly, since order has been passed by the PCIT, Lucknow for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for Assessment Year 2013-14, the appeal of the Department is ordered to be dismissed as withdrawn.

3. In the result, the appeal of the Revenue is dismissed.

Order pronounced in the open Court on 19/05/2022.

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

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

DATED:19/05/2022

JJ:

Copy forwarded to:

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

By order

Assistant Registrar