

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: 'C' NEW DELHI**

**BEFORE SHRI SAKTIJIT DEY, JUDICIAL MEMBER
AND
SHRI PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER**

ITA No.5579/Del/2018
Assessment Year: 2008-09

M/s. K.V. Finlease Pvt. Ltd., 432, Deepali Enclave, Pitampura, New Delhi	Vs.	Pr. CIT, New Delhi
PAN :AABCK9449H		
(Appellant)		(Respondent)

Appellant by	Sh. Subham Jain, CA
Respondent by	Ms. Anupama Singla, Sr. DR

Date of hearing	30.05.2022
Date of pronouncement	30.05.2022

ORDER

PER SAKTIJIT DEY, JM:

This is an appeal by the assessee against order dated 10.07.2018 of learned Principal Commissioner of Income Tax (PCIT)-5, Delhi, passed under section 263 of the Income-tax Act, 1961 (for short 'the Act') for the assessment year 2008-09.

2. Learned Authorized Representative of the assessee, on instruction, sought permission to withdraw the present appeal as the assessee has opted to settle the dispute arising in the appeal under the Direct Tax Vivad Se Vishwas Act, 2020. In fact, letter

dated 28.05.2022 of the assessee, enclosing declaration filed under Vivad Se Vishwas Scheme and Form 5 issued by the designated authority have been furnished before the Bench.

3. Learned Departmental Representative has no objection to the withdrawal of the appeal by the assessee.

4. Having considered the submissions of the parties, we find that accepting assessee's declaration under the Direct Tax Vivad Se Vishwas Act, 2020, the designated authority has issued Form 5 on 27th December, 2021. Thus, for all practical purposes, the dispute arising in the appeal stands settled. That being the factual position emerging on record, we permit the assessee to withdraw the present appeal. Accordingly, appeal is dismissed as withdrawn.

5. In the result, appeal is dismissed.

Order pronounced in the open court on 30th May, 2022

Sd/-
(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER

Dated: 30th May, 2022.

RK/-

Copy forwarded to:

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

Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER

Asst. Registrar, ITAT, New Delhi