

**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. 116/Lkw/2020
Assessment Year 2010-11

Chaitanya Builders Pvt. Ltd., 1059, Gali Tabela, Circular Road, Hatras- 204101 PAN – AAICS 0030K	Vs.	Pr. CIT, Central, Kanpur-208001
(Appellant)		(Respondent)

Appellant by	None (Application for Withdrawal under VSVS)
Respondent by	Smt. Sheela Chopra, CIT (DR)
Date of hearing	07/06/2022
Date of pronouncement	07/06/2022

ORDER

PER T.S. KAPOOR, A.M.

This appeal has been filed by the assessee against the order of the Id. Pr. CIT(Central), Kanpur, dated 18.03.2019 for Assessment Year 2010-11.

2. During the course of hearing, it was noticed that the assessee has submitted an application received by the Registry of this Office on 06.06.2022 vide which it has been submitted that the assessee has opted for Vivad Se Viswas Scheme and Income Tax Department has passed Order in Form No.5 on 06.12.2021 for AY 2010-11 under Vivad Se Vishwas Scheme. The assessee has filed the copy of Form No.5, i.e., the order of the PCIT, for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020. The prayer of the assessee is that since the assessee has opted for Vivad Se Viswas Scheme and tax payable on the assessee 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arrears has been passed by the designated authority, therefore, the appeal filed by the assessee may be dismissed as withdrawn. The Id. D.R. has no objection. Accordingly, since the order has been passed by the PCIT, for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for A.Y. 2010-11, the appeal of the assessee is ordered to be dismissed as withdrawn.

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

(Order pronounced in the open court on 07/06/2022)

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

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

Aks -
Dtd. 07/06/2022

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