

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

**BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER AND
SH. NARENDER KUMAR CHOUDHARY, JUDICIAL MEMBER**

ITA No. 5195/Del/2019
(Assessment Year : 2010-11)

A & A Earthmovers Pvt. Ltd., C/o. M/s. RRA Tax India, D-28, South Extension, New Delhi- 110049 PAN No. AAACC 9835 G (APPELLANT)	Vs.	DCIT Circle – 1(1), New Delhi (RESPONDENT)
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Assessee by	Shri Deepesh Garg, Adv.
Revenue by	Shri Zahid Parvez, Sr. D.R.

Date of hearing:	08.06.2022
Date of Pronouncement:	08.06.2022

ORDER

PER ANIL CHATURVEDI, AM :

This appeal filed by the assessee is directed against the order dated 18.04.2019 of the Commissioner of Income Tax (Appeals)-I, New Delhi relating to Assessment Year 2010-11.

2. Before us, assessee has moved an application wherein the assessee has stated that it has opted for Vivad Se Vishwas (VSV) 2020 and has filed the declaration (Form-1) and undertaking

(Form-2) Scheme and department had issued Form-5. The assessee therefore seeks to withdraw the appeal, to which the Revenue has no objection.

3. After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid Act, the assessee shall be at liberty to approach the Tribunal for reinstatement of the appeal and the Tribunal shall consider such application appropriately as per law. With these directions, **appeal of the assessee is dismissed as withdrawn.**

4. **In the result, appeal of the assessee is dismissed.**

Order pronounced in the open court on 08.06.2022, immediately after conclusion of the hearing of the matter in virtual mode.

**Sd/-
(NARENDER KUMAR CHOUDHARY)
JUDICIAL MEMBER**

**Sd/-
(ANIL CHATURVEDI)
ACCOUNTANT MEMBER**

Date:- 08.06.2022

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Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR
ITAT NEW DELHI