

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

**BEFORE SHRI ANIL CHATURVEDI, ACCOUNTANT MEMBER  
AND  
SHRI N.K. CHOUDHRY, JUDICIAL MEMBER**

**ITA No. 7495/Del/2019  
Assessment Year: 2015-16**

Shri Anil Agarwal, RP-28,  
Maurya Enclave, Pitampura,  
Delhi.

**PAN:AAAPA4750B**

(Appellant)

Vs. Income-tax Officer,  
Ward 1(2), Gurgaon.

(Respondent)

Appellant by : None  
Respondent by : ShriZahidParvez, Sr. DR

Date of hearing : 08.06.2022  
Date of order : 08.06.2022

**ORDER**

**PER N.K. CHOUDHRY, J.M.**

This appeal has been preferred by the Assessee against the order dated 09.05.2019 impugned herein, passed by the Id. Commissioner of Income Tax (Appeals)-38, New Delhi, for the assessment year 2015-16.

2. None is present on behalf of the assessee.

3. The Assessee has preferred the instant application dated 07.06.2022 under consideration for withdrawal of the instant appeal on the ground " *since the Assessee has availed the immunity scheme i.e. Vivad Se Vishwas under The Direct Tax Vivad se Vishwas Act, 2020 and the Revenue Department has issued Form No. 3 & 4 in response to the application filed by the Assessee under the scheme, therefore, the appeal of the Assessee may be allowed to be dismissed as withdrawn with liberty to seek recall of the order in case any unforeseen circumstances would arise in future.*"

4. The Ld. DR did not raise any objection, on the request of the Assessee for withdrawal of appeal.

5. Having heard the Id. DR and perused the application for withdrawal of the appeal and Form-3 & 4 dated 23.12.2020 (Copies already on record) issued by the Department. Considering the facts and circumstances, the appeal of assessee is liable to be dismissed as withdrawn with liberty as prayed for in accordance of law, hence, ordered accordingly.

6. In the result, instant appeal of the Assessee stands dismissed as withdrawn.

Order pronounced in the open court on 08/06/2022

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

**Sd/-**  
**(N.K. CHOUDHRY)**  
**JUDICIAL MEMBER**

\*aks/-