

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

**BEFORE SHRI SAKTIJIT DEY, JUDICIAL MEMBER
AND
SHRI ANADEE NATH MISSHRA, ACCOUNTANT MEMBER**

ITA No.8133/Del/2019
Assessment Year: 2016-17

Oxygen Services (India) Private Ltd., 36, Second Floor, Gola Market behind Golecha Cinema, Daryaganj Delhi PIN: 1100 02	Vs.	ACIT, Circle-19(1), New Delhi.
PAN :AABCI1405K		
(Appellant)		(Respondent)

Appellant by	Shri Praveen Kumar, CA
Assessee by	Shri Dilip Singh Kothari, CIT (DR) & Ms. Garima Sharma, SR. DR

Date of hearing	15.06.2022
Date of pronouncement	15.06.2022

ORDER

PER SAKTIJIT DEY, JUDICIAL MEMBER:

This is an appeal by the assessee against order dated 30.07.2019 of learned Commissioner of Income-Tax (Appeals)-22, New Delhi for the assessment year 2016-17.

2. At the outset, learned counsel appearing for the assessee, on instructions, sought withdrawal of appeal, since, assessee has opted for settling the dispute arising in the appeal under the Direct Tax Vivad Se Vishwas Act, 2020.

3. In fact, a letter dated 15.06.2022 to this effect, enclosing a copy of Form 5 issued by the designated authority on 02.03.2021 has been furnished before the Bench.

4. Learned Departmental Representative did not object to assessee's request for withdrawal of the appeal.

5. Having considered rival submissions, we find, accepting assessee's declaration under the Direct Tax Vivad Se Vishwas Act, 2020, the designated has issued Form 5. Thus, with the issuance of Form 5, for all practical purposes, the dispute arising in the appeal stands resolved. That being the case, we permit the assessee to withdraw the present appeal. Accordingly, the appeal is dismissed as withdrawn.

6. In the result, the appeal is dismissed.

Order pronounced in the open court on 15th June, 2022.

**Sd/-
(ANADEE NATH MISSHRA)
ACCOUNTANT MEMBER**

**Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER**

Dated: 15th June, 2022.
Mohan Lal

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi

Sl. No.	Particulars	Date
1.	Date of dictation (Order drafted through Dragon software):	15.06.2022
2.	Date on which the draft of order is placed before the Dictating Member:	-.06.2022
3.	Date on which the draft of order is placed before the other Member:	.06.2022
4.	Date on which the approved draft of order comes to the Sr. PS/PS:	15.06.2022
5.	Date of which the fair order is placed before the Dictating Member for pronouncement:	15.06.2022
6.	Date on which the final order received after having been signed/pronounced by the Members:	15.06.2022
7.	Date on which the final order is uploaded on the website of ITAT:	23.06.2022
8.	Date on which the file goes to the Bench Clerk	23.06.2022
9.	Date on which files goes to the Head Clerk:	
10.	Date on which file goes to the Assistant Registrar for signature on the order:	
11.	Date of dispatch of order:	