

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

**BEFORE SHRI G.S. PANNU, PRESIDENT &
SHRI SAKTIJIT DEY, JUDICIAL MEMBER**

ITA No.2102/Del/2019
Assessment Year: 2012-13

Indian Commodity Exchange Ltd., Reliable Tech Park, 403-A, B Wing, 4 th Floor, Thane Belapur Road, Airoli(E), Mumbai PIN: 400708	Vs.	ITO, Ward 2, Rohtak
PAN :AABCI9479D		
(Appellant)		(Respondent)

Appellant by	N o n e
Respondent by	Shri Om Prakash, Sr. DR

Date of hearing	10.06.2022
Date of pronouncement	10.06.2022

ORDER

PER SAKTIJIT DEY, JUDICIAL MEMBER:

This is an appeal by the assessee against order dated 23.01.2019 of learned Commissioner of Income-Tax (Appeals)-35, New Delhi for the assessment year 2012-13.

2. When the appeal was called for hearing, none appeared for the assessee. However, learned authorized representative of the assessee has filed a letter dated 19.05.2022 seeking withdrawal of the appeal as assessee has opted for settling the dispute arising in the appeal under the Direct Tax Vivas se Vishwas Act, 2020 and has received Form 5 issued by the designated authority. A copy of Form 5 has been attached to the aforesaid letter.

3. Learned Departmental Representative didn't object to assessee's request for withdrawal of the appeal.

4. We have heard learned Departmental Representative and perused the material on record.

5. As could be seen, assessee has opted for settling the dispute arising in the appeal under the Direct Tax Vivas se Vishwas Act, 2020. Accepting assessee's declaration, the designated authority has issued Form 5 on 20.10.2021. Thus, for all practical purposes, the dispute arising in the appeal has been settled. Accordingly, we permit the assessee to withdraw the present appeal.

6. In view of the aforesaid, the appeal is dismissed as withdrawn.

7. In the result, the appeal is dismissed.

Order pronounced in the open court on 10TH June, 2022.

**Sd/-
(G.S. PANNU)
PRESIDENT**

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

Dated: 10th June, 2022.
Mohan Lal

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi