

आयकर अपीलीय अधिकरण, 'बी' न्यायपीठ, चेन्नई
IN THE INCOME TAX APPELLATE TRIBUNAL , 'B' BENCH, CHENNAI
श्री वी. दुर्गा राव, न्यायिक सदस्य एवं श्री जी. मंजुनाथ, लेखा सदस्य के समक्ष
BEFORE SHRI V. DURGA RAO, JUDICIAL MEMBER
AND SHRI G. MANJUNATHA, ACCOUNTANT MEMBER

आयकरअपीलसं./I.T.A.No.37/Chny/2020

(निर्धारणवर्ष / Assessment Year: 2011-12)

M/s.Praveen Kumar Jain (HUF) 56, Narayana Mudali Street Sowcarpet, Chennai-79.	Vs	The Income Tax Officer , Non-Corporate Ward-5(4) Chennai-6.
PAN: AAHHP 6294C		
(अपीलार्थी/Appellant)		(प्रत्यर्थी/Respondent)

अपीलार्थीकीओरसे/ Appellant by	:	None
प्रत्यर्थीकीओरसे/Respondent by	:	Mr. R.L. Banekatti, JCIT

सुनवाई की तारीख/Date of hearing	:	04.07.2022
घोषणा कीतारीख /Date of Pronouncement	:	04.07.2022

आदेश / ORDER

PER G. MANJUNATHA, AM:

This appeal filed by assessee is directed against order of learned Commissioner of Income Tax (Appeals)-5, Chennai, dated 25.09.2019 and pertains to assessment year 2011-12.

2. None appeared for the assessee. We have heard learned DR and also perused the materials available on record. At the time of hearing, the assessee has filed a letter dated 22.06.2022 along with Form No.5 issued by the Department under 'Vivad se Vishwas Scheme, 2020' and submitted that the assessee has availed the VSVS scheme to settle its pending disputes. The assessee further submitted that the Department

has accepted application filed by the assessee and issued Form 5 quantifying amount of taxes payable under VSVS scheme. Therefore, the assessee submitted that the appeal filed by the assessee may be dismissed as withdrawn. The Id. DR, on the other hand, has no objection for dismissing the appeal as the Designated Authority has issued Form 5. Therefore, considering fact that the assessee has filed application for withdrawal of appeal and has also filed Form 5 issued by the Department, we dismiss appeal filed by the assessee as withdrawn. However, a liberty is given to the assessee to restore the appeal, in case application filed by the assessee before the Designated Authority, is rejected for any reason.

3. In the result, appeal filed by the assessee is dismissed as withdrawn.

Order pronounced in the open court on 4th July, 2022

Sd/-

(वी.दुर्गा राव)

(V.Durga Rao)

न्यायिक सदस्य /Judicial Member

चेन्नई/Chennai,

दिनांक/Dated 4th July, 2022

DS

Sd/-

(जी.मंजुनाथ)

(G.Manjunatha)

लेखा सदस्य / Accountant Member

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. Appellant
2. Respondent
3. आयकर आयुक्त (अपील)/CIT(A)
4. आयकर आयुक्त/CIT
5. विभागीय प्रतिनिधि/DR
6. गार्ड फाईल/GF.