

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

**BEFORE SH. ANIL CHATURVEDI, ACCOUNTANT MEMBER  
AND SH. ANUBHAV SHARMA, JUDICIAL MEMBER**

ITA No. 365/Del/2020  
(Assessment Year : 2015-16)

Raj Hans Kataria Prakash Sachin & Co. 13D Atmaram House.1, Tolstoy Marg, New Delhi – 110 001  PAN No. AJYPK 0049 C <b>(APPELLANT)</b>	Vs.	DCIT Circle – 3(1) Gurgaon  <b>(RESPONDENT)</b>
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Assessee by	Shri Prakash Sinha, C.A.
Revenue by	Shri M. Baranwal, Sr. D.R.

Date of hearing:	06.07.2022
Date of Pronouncement:	06.07.2022

**ORDER**

**PER ANIL CHATURVEDI, AM :**

This appeal filed by the assessee is directed against the order dated 12.07.2019 of the Commissioner of Income Tax (Appeals)-2, Gurgaon relating to Assessment Year 2015-16.

2. Before us, assessee has moved an application wherein 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 No. - 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 After considering the request made by the assessee, we dismiss the appeal of assessee as withdrawn subject to a caveat that in case the dispute relating to tax arrears for the captioned assessment year is not ultimately resolved in terms of the aforesaid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 With these directions, **appeal of the assessee is dismissed as withdrawn.**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 06.07.2022, immediately after conclusion of the hearing of the matter in virtual mode.**

**Sd/-  
(ANUBHAV SHARMA)  
JUDICIAL MEMBER**

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

Date:- 06.07.2022  
PY\*

**Copy forwarded to:**

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

ASSISTANT REGISTRAR  
ITAT NEW DELHI