

IN THE INCOME TAX APPELLATE TRIBUNAL "C" BENCH KOLKATA

आयकर अपीलीय अधीकरण, न्यायपीठ - "C" कोलकाता,

**BEFORE SHRI RAJPL YADAV, VICE PRESIDENT
AND SHRI GIRISH AGRAWAL, ACCOUNTANT MEMBER**

(समक्ष श्री राजपाल यादव उपाध्यक्ष एवं श्री गिरीश अग्रवाल लेखा सदस्य)

**ITA No.1642/Kol/2018
Assessment Year: 2014-15**

Arun Kumar Dhanuka C/o Sri S. L. Kochar, Advocate 5, Ashutosh Chowdhury Avenue, Kolkata-19. (PaN: ADGPD2324M)	Vs.	Income-tax Officer, Ward- 34(2), Kolkata.
(Appellant)		(Respondent)

Present for:

Appellant by : None

Respondent by : Smt. Ranu Biswas, Addl. CIT, DR

Date of Hearing : 17.08.2022

Date of Pronouncement : 18.08.2022

ORDER

PER GIRISH AGRAWAL, ACCOUNTANT MEMBER:

This appeal by the assessee is directed against the order of ld. CIT(A)-10, Kolkata vide Appeal No. 172/CIT(A)-10/W 34(2)/14-15/2016-17/Kol dated 28.06.2018 for A.Y. 2014-15 passed against the assessment order u/s 143(3) of the Income-tax Act, 1961 (hereinafter referred to as 'the Act') by ITO, Ward-34(2), Kolkata dated 17.12.2016.

2. None appeared for the assessee and Smt. Ranu Biswas, Sr. DR appeared on behalf of the revenue.

3. We note from the letter of Ld. AR of the assessee dated 04.08.2022 the assessee has opted for Direct Tax Vivad Se Vishwas Scheme, 2020 (hereinafter, the 'scheme') and had filed Form no. 1 and Form no. 2 before the Competent Authority and the Competent Authority had accepted it and had issued Form-3. Thereafter the assessee has remitted the tax as per Form 3 and filed form no. 4 and is expecting

Form 5 from the competent authority. Since the assessee-respondent has paid the due taxes, there is no point in keeping the impugned appeal pending. Apropos the discussion (supra) and since Smt. Ranu Biswas, Addl. CIT, DR does not have any objection in withdrawing the same, we allow the assessee to withdraw the impugned appeal.

4. In the result, the appeal of the assessee is dismissed as withdrawn.

Order is pronounced in the open court on 18th August, 2022

Sd/-

(RAJPAL YADAV)
VICE PRESIDENT

Kolkata, Dated: 18.08.2022

JD, Sr. P.S.

Copy to:

1. The Appellant:
2. The Respondent:.
3. CIT(A)-10, Kolkata.
4. The CIT- , Kolkata
5. The DR, ITAT, Kolkata Bench, Kolkata

//True Copy//

Sd/-

(GIRISH AGRAWAL)
ACCOUNTANT MEMBER

By Order

Assistant Registrar
ITAT, Kolkata Benches, Kolkata