

आयकर अपीलीय अधिकरण, कटक न्यायपीठ, कटक

IN THE INCOME TAX APPELLATE TRIBUNAL CUTTACK BENCH CUTTACK
श्री जार्ज माथन, न्यायिक सदस्य एवं श्री अरुण खोड़पिया लेखा सदस्य के समक्ष ।

**BEFORE SHRI GEORGE MATHAN, JUDICIAL MEMBER
AND
SHRI ARUN KHODPIA, ACCOUNTANT MEMBER**

ITA No.68/CTK/2013

(निर्धारण वर्ष / Assessment Year :2009-2010)

Hotel Vamsi Krishna Private Limited,
New Colony,
Rayagada
PAN No.AABCH 7604 R

.....Assessee

Versus

ITO, Rayagada, Ward,
Rayagada

.....Revenue

None for the assessee (Withdrawal Application filed)
Shri S.C.Mohanty, Sr.DR for the Revenue

Date of Hearing : 24/08/2022

Date of Pronouncement : 24/08/2022

आदेश / O R D E R

Per Bench :

This is an appeal filed by the assessee against the order of the Id. CIT(A), Berhampur, in I.T.Appeal No.0187/11-12, dated 31.10.2012 for the assessment year 2009-2010.

2. The assessee has filed a letter dated 21.07.2022 intimating that the assessee has filed a petition under the Vivad Se Vishwas Scheme and consequently, he may be permitted to withdraw the appeal. The contents of the application of the assessee filed on 21.07.2022 are as under :-

21/7/2022
P.C.

**Before the Income-tax Appellate Tribunal
Cuttack Bench, Cuttack**

(ITA No. 68/CTK/2013)

In the matter of : Hotel Vamsi Krishna Pvt. Ltd. New Colony,
Rayagada Appellant

-Versus-

Income-tax Officer, Rayagada Ward,
Rayagada Respondent



AND

Assessment Year : 2009-10

Petition for withdrawal of Appeal

That, being aggrieved with the order of CIT (A), the Appellant has preferred appeal before the Income-tax Appellate Tribunal same has been registered as ITA No. 68/CTK/2013 which is pending for disposal.

That, the Appellant has gone under the Vivada-sa-viswas Scheme and necessary tax thereon has already been paid to the credit of Central Government. Therefore, the Appellant prays the Hon'ble Tribunal to allow the Appellant to withdraw the case.

And for which act of kindness, the Appellant as in duty bound shall ever pray.

Place: Bhubaneswar
Date: 21.07.2022.


Prakash Chandra Sethi,
A/R for the Appellant

3. The Income Tax Officer (Hqr.), Sambalpur has also intimated this office and asked for verification as to whether the appeal has been withdrawn for issuance of Form No.5. This office has also intimated the same to the ITO (Hqr.), Sambalpur that the appeal is fixed for hearing on 24.08.2022 on the petition of the assessee praying for withdrawal of the appeal as the assessee has gone under the Vivad Se Vishwas Scheme, 2020. Today, Id. AR on behalf of the assessee has filed a letter for adjournment. As the issue is only in regard to withdrawal of the appeal and as the Id. AR of the assessee has already filed for withdrawal of appeal, the adjournment application dated 23.08.2022 is rejected and

the appeal of the assessee is permitted to be withdrawn as per the request of the Id. AR of the assessee vide his application dated 21.07.2022.

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

Order dictated and pronounced in the open court on 24/08/2022.

Sd/-

(अरुण खोड़पिया)
(ARUN KHODPIA)

लेखा सदस्य/ **ACCOUNTANT MEMBER**

Sd/-

(जार्ज माथन)
(GEORGE MATHAN)

न्यायिक सदस्य / **JUDICIAL MEMBER**

कटक Cuttack; दिनांक Dated 24/08/2022

Prakash Kumar Mishra, Sr.P.S.

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant-
Hotel Vamsi Krishna Private Limited,
New Colony, Rayagada
2. प्रत्यर्थी / The Respondent-
ITO, Rayagada, Ward, Rayagada
3. आयकर आयुक्त(अपील) / The CIT(A),
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, **कटक** / DR,
ITAT, Cuttack
6. गार्ड फाईल / Guard file.

सत्यापित प्रति //True Copy//

आदेशानुसार/ BY ORDER,

(Assistant Registrar)

आयकर अपीलीय अधिकरण, कटक/ITAT, Cuttack