

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.122/Kol/2019
Assessment Year: 2008-09**

Clitoria Vanijya Pvt. Ltd. Office Space No. 120, First Floor, Sundram Tower, Plot 22-23, DDA Community Centre, Paschim Vihar, New Delhi-110063. (PAN: AADCC0223D)	Vs.	Commissioner of Income- tax-1, Kolkata.
(Appellant)		(Respondent)

Present for:

Appellant by : Shri Chirag Desai, AR

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

Date of Hearing : 18.08.2022

Date of Pronouncement : 24.08.2022

ORDER

PER GIRISH AGRAWAL, ACCOUNTANT MEMBER:

This appeal by the assessee is directed against the order of ld. CIT-1, Kolkata dated 11.03.2013 for A.Y. 2008-09 passed u/s. 263 of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

2. Shri Chirag Desai, AR appeared for the assessee and Smt. Ranu Biswas, Sr. DR appeared on behalf of the revenue.

3. At the time of hearing ld. AR of the assessee submitted that 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 In the result, the appeal of the assessee is dismissed as withdrawn.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 24th August, 2022

Sd/-

(RAJPAL YADAV)
VICE PRESIDENT

Sd/-

(GIRISH AGRAWAL)
ACCOUNTANT MEMBER

Kolkata, Dated: 24.08.2022

JD, Sr. P.S.

Copy to:

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

//True Copy//

By Order

Assistant Registrar
ITAT, Kolkata Benches, Kolkata