

**IN THE INCOME TAX APPELLATE TRIBUNAL,
'A' BENCH, KOLKATA**

**Before Shri Rajpal Yadav, Vice-President (KZ)
&
Shri Girish Agrawal, Accountant Member**

**I.T.A. No. 34/KOL/2020
Assessment Year: 2012-2013**

***M/s. R.N. Infrabuild Pvt. Limited,.....Appellant
11/12, Bengal Ambuja, City Centre,
Durgapur-713216
[PAN:AAF CR1732G]***

-Vs.-

***Income Tax Officer,.....Respondent
Ward-1(1), Durgapur,
Durgapur-713216, West Bengal***

Appearances by:

N o n e, appeared on behalf of the assessee

Smt. Ranu Biswas, Addl. CIT(DR), appeared on behalf of the Revenue

Date of concluding the hearing : August 26, 2022

Date of pronouncing the order : August 26, 2022

O R D E R

Per Bench:-

This appeal filed by the assessee is directed against the order of Id. Commissioner of Income Tax (Appeals), Durgapur dated 25.11.2019.

2. In this case, the Director of the assessee-company has moved an application dated 20.08.2022 seeking the permission of the Bench to withdraw this appeal and pleaded that the assessee has resolved the issue in dispute with the Revenue under Vivad Se Viswas Scheme. For buttressing this plea, the assessee has filed a copy of Declaration in Form No. 5 which is being placed on record.

3. Id. D.R. has raised no objection if the instant appeal is dismissed as withdrawn by the assessee.

4. We have perused the relevant material placed before us. We find that the assessee has opted for Vivad Se Vishwas Scheme, 2020 to resolve the dispute with the Revenue and the Designated Authority has issued the certificate in Form No. 5 on 07.01.2022 for full and final settlement of tax arrear under Section 5(2) read with section 6 of the Direct Tax Vivad Se Vishwas Act, 2020 (3 of 2020), the Direct Tax Vivad Se Vishwas Rules, 2020 accepting the assessee's declaration under the said Scheme.

5. Keeping in view these facts and circumstances of the case including especially the fact that the assessee has duly complied with the necessary requirements under Vivad Se Vishwas Scheme, 2020, the permission as sought by the Director of the assessee-company is granted and this appeal of the assessee is dismissed as withdrawn.

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 In the result, the appeal filed by the assessee is dismissed as withdrawn.

Order pronounced in the open Court on August 26, 2022.

Sd/-

Sd/-

(Girish Agrawal)
Accountant Member

(Rajpal Yadav)
Vice-President (KZ)

Kolkata, the 26th day of August, 2022

Copies to : (1) ***M/s. R.N. Infrabuild Pvt. Limited,
11/12, Bengal Ambuja, City Centre,
Durgapur-713216***

(2) ***Income Tax Officer,
Ward-1(1), Durgapur,
Durgapur-713216, West Bengal***

(3) ***Commissioner of Income Tax (Appeals), Durgapur***

(4) ***Commissioner of Income Tax ,***

(5) ***The Departmental Representative***

(6) ***Guard File***

TRUE COPY

By order

***Assistant Registrar,
Income Tax Appellate Tribunal,
Kolkata Benches, Kolkata***

Laha/Sr. P.S.