

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

**Before Shri Rajpal Yadav, Vice-President (KZ)
&
Shri Rajesh Kumar, Accountant Member**

**I.T.A. No. 2216/KOL/2018
Assessment Year: 2012-2013**

***Surya Kiran Tradecom Pvt. Limited,.....Appellant
C/o. Hotel Ballerina, A.T. Road,
Tinsukia, Assam-786125
[PAN: AAKCS6265]]
-Vs.-***

***Deputy Commissioner of Income Tax,.....Respondent
Circle-9(2), Kolkata,
Aayakar Bhawan, Room No. 25, 5th Floor,
P-7, Chowringhee Square,
Kolkata-700069***

Appearances by:

*None, appeared on behalf of the assessee
Smt. Ranu Biswas, Addl. CIT (DR), appeared on behalf of the Revenue*

**Date of concluding the hearing : September 06, 2022
Date of pronouncing the order: September 06, 2022**

O R D E R

Per Rajpal Yadav, Vice-President (KZ):-

The present appeal is directed at the instance of assessee against the order of Id. Commissioner of Income Tax (Appeals)-18, Kolkata dated 05.04.2018 passed for the assessment year 2012-13.

2. In this case, the Director of the assessee-company has moved an application dated 30th August, 2022 stating therein 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. Since the Department has issued Form No. 5, which is the ultimate declaration for the resolution of the dispute with the assessee, therefore, there is no

ideal to keep this appeal pending. Accordingly, we dismiss this appeal of the assessee on the ground that dispute has been resolved under Vivad Se Viswas Scheme.

3. In the result, the appeal filed by the assessee is dismissed.

Order pronounced in the open Court on September 06, 2022.

**Sd/-
(Rajesh Kumar)
Accountant Member**

**Sd/-
(Rajpal Yadav)
Vice-President (KZ)**

Kolkata, the 6th day of September, 2022

- Copies to :*
- (1) Surya Kiran Tradecom Pvt. Limited,
C/o. Hotel Ballerina, A.T. Road,
Tinsukia, Assam-786125*
 - (2) Deputy Commissioner of Income Tax,
Circle-9(2), Kolkata,
Aayakar Bhawan, Room No. 25, 5th Floor,
P-7, Chowringhee Square, Kolkata-700069*
 - (3) Commissioner of Income Tax(Appeals)-18, Kolkata*
 - (4) The Departmental Representative*
 - (5) Guard File*
- TRUE COPY**

By order

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

Laha/Sr. P.S.