

आयकर अपीलीय अधिकरण, अहमदाबाद न्यायपीठ 'A' अहमदाबाद  
IN THE INCOME TAX APPELLATE TRIBUNAL  
"A" BENCH, AHMEDABAD

BEFORE SHRI P.M. JAGTAP, VICE-PRESIDENT  
AND MS. MADHUMITA ROY, JUDICIAL MEMBER

ITA No. 232/Ahd/2020  
Assessment Years : 2005-06

Bharatbhai Kalyanbhai Patel, C/o. Bharat Engg. & Moulding Works, Survey No. 643, Nr. Hynoup Oil Industries, Post: Kadi, Dist. Mehsana, Gujarat PAN: ABUPP 4415 D	Vs	The Income Tax Officer, Ward-5, Mehsana
<b>अपीलार्थी/ (Appellant)</b>		<b>प्रत्यर्थी/ (Respondent)</b>
Assessee by :		Withdrawal application on record
Revenue by :		Shri V.K. Mangla, Sr. DR

सुनवाई की तारीख/Date of Hearing : 06/09/2022  
घोषणा की तारीख /Date of Pronouncement: 06/09/2022

**आदेश/O R D E R**

**PER P.M. JAGTAP, VICE-PRESIDENT :**

The assessee is in appeal before the Tribunal against the order of the learned Commissioner of Income-tax (Appeals), Gandhinagar dated 29.01.2020 passed for Assessment Year 2005-06.

2. At the time of hearing fixed in this case today, i.e. on 06.09.2022, none appeared on behalf the assessee. However, vide an application dated 14.04.2022, the assessee has requested for withdrawal of his appeal on the ground that he had already availed benefits of "Vivad Se Vishwas Scheme 2020". The assessee has also submitted that he has already received Form No.5, being the order for full and final settlement of tax arrears under the said Scheme, issued by the Principal Commissioner of Income Tax, Ahmedabad-3 in this regard, which is placed on record. In view of the above, the learned Departmental Representative submitted that he has no objection to the withdrawal of the appeal.

3. We have considered the submission of the assessee for withdrawal of the appeal under the Scheme "Direct Tax Vivad se Vishwas 2020". In the light of aforesaid request made by the assessee as also considering the Form No.5 submitted by the assessee towards the final settlement of tax arrears under Section 5(2) read with Section 6 of the Direct Tax Vivad Se Vishwas Act, 2020 (Form-5) issued by the PCIT, Ahmedabad-3, the appeal of the assessee is dismissed as withdrawn.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the Court on 6<sup>th</sup> September, 2022 at Ahmedabad.

Sd/-

Sd/-

**(MADHUMITA ROY)**  
**JUDICIAL MEMBER**

**(P.M. JAGTAP)**  
**VICE-PRESIDENT**

Ahmedabad, Dated 06/09/2022

*Dr*

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

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त (अपील)/ The CIT(A)-
5. विभागीय प्रतिनिधिआयकर अपीलीय अधिकरण ,/DR,ITAT, Ahmedabad,
6. गार्ड फाईल /Guard file.

TRUE COPY

आदेशानुसार/ BY ORDER,

सहायक पंजीकार (Asstt. Registrar)  
आयकर अपीलीय अधिकरण  
ITAT, Ahmedabad