

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
DELHI BENCH: 'SMC' NEW DELHI**

**BEFORE SHRI SAKTIJIT DEY, JUDICIAL MEMBER**

ITA No.8575/Del/2019  
Assessment Year: 2010-11

Shri Kirshan, D-1300, Block-D, Jahangir Puri, Delhi	<b>Vs.</b>	Income Tax Officer, Ward-38(5), New Delhi
<b>PAN :DTNPS1554Q</b>		
<b>(Appellant)</b>		<b>(Respondent)</b>

Appellant by	Ms. Mansi Jain, CA
Respondent by	Sh. Om Parkash, Sr. DR

Date of hearing	01.09.2022
Date of pronouncement	01.09.2022

**ORDER**

This is an appeal by the assessee against order dated 02.08.2019 of learned Commissioner of Income Tax (Appeals)-13, New Delhi, for the assessment year 2010-11.

**2.** Learned counsel for the assessee, on instruction, sought withdrawal of the present appeal as the assessee has opted for settling the dispute arising in the appeal under the Direct Tax Vivad Se Vishwas Act, 2020.

**3.** Learned Departmental Representative did not object to the aforesaid request of the assessee.

**4.** Having considered the submissions of the parties and perused the materials on record, I find that the designated authority has issued Form 5 on 08.04.2021 accepting assessee's declaration filed under the Direct Tax Vivad Se Vishwas Act, 2020. Thus, with the issuance of Form 5 by the designated authority, a copy of which is placed on record, for all practical purposes, the dispute arising in the present appeal stands resolved.

**5.** In view of the aforesaid, I permit the assessee to withdraw the present appeal. Accordingly, the appeal is dismissed as withdrawn.

**6.** In the result, the appeal is dismissed.

***Order pronounced in the open court on 1<sup>st</sup> September, 2022***

***Sd/-***  
**(SAKTIJIT DEY)**  
**JUDICIAL MEMBER**

Dated: 1<sup>st</sup> September, 2022.

RK/-

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar, ITAT, New Delhi