

**IN THE INCOME TAX APPELLATE TRIBUNAL
RAJKOT BENCH, RAJKOT
(Conducted through E-Court at Ahmedabad)**

**BEFORE Ms. SUCHITRA KAMBLE, JUDICIAL MEMBER AND
SHRI WASEEM AHMED, ACCOUNTANT MEMBER**

**ITA No.311/RJT/2019
Assessment Year: 2016-17**

Smt. Narmadaben N. Hirpara, vs. Income Tax Officer,
D-5, Surya Park-App., Ward – 1(1)(3), Rajkot.
Nr. Bharatvan Society,
Nana Mava Main Road,
Rajkot.
[PAN – ACFPH 0422 C]
(Appellant) (Respondent)

Appellant by : Written Submission
Respondent by : Shri B.D. Gupta, DR

Date of hearing : 05.09.2022
Date of pronouncement : 07.09.2022

ORDER

PER SUCHITRA KAMBLE, JUDICIAL MEMBER :

The appeal filed by the assessee arises from the order of the Commissioner of Income Tax (Appeals)-1, Rajkot dated 30.08.2019, passed for Assessment Year 2016-17.

2. We have heard the Ld. DR through video conferencing. During the course of hearing, it is noticed that the assessee, vide application dated 05.09.2022, sought to withdraw her appeal on the ground that the assessee has opted to avail the benefits of “Vivad Se Vishwas Scheme 2020” and has also placed on record copy of Form No.5 before the Tribunal in this regard. The assessee has thus requested for withdrawal of its appeal under the said Scheme.

3. The learned Departmental Representative submitted that he has no objection to the withdrawal of the appeal.

4. We have considered the submissions made by the assessee in her application for withdrawal of the appeal under the Sheme "Vivad se Vishwas". In the light of aforesaid request made by the assessee, the appeal is dismissed as withdrawn. However, in the event, the assessee fails to avail the benefit of "Vivad se Vishwas Scheme" for any bonafide reasons, then the assessee will be at liberty to seek restoration of original appeal for hearing before the ITAT in accordance with law.

5. In the result, the appeal is dismissed as withdrawn.

Order pronounced in the open Court on this 7th day of September, 2022.

Sd/-
(WASEEM AHMED)
Accountant Member

Sd/-
(SUCHITRA KAMBLE)
Judicial Member

Ahmedabad, the 7th day of September, 2022

PBN/*

Copies to: (1) The appellant
(2) The respondent
(3) CIT
(4) CIT(A)
(5) Departmental Representative
(6) Guard File

By order

*Assistant Registrar
Income Tax Appellate Tribunal
Rajkot Bench, Rajkot*