

IN THE INCOME TAX APPELLATE TRIBUNAL "C" BENCH KOLKATA

आयकर अपीलीय अधीकरण, न्यायपीठ - "C" कोलकाता,

**BEFORE SHRI SANJAY GARG, JUDICIAL MEMBER
AND SHRI GIRISH AGRAWAL, ACCOUNTANT MEMBER**

(समक्ष श्री संजय गर्ग न्यायिक सदस्य एवं श्री गिरीश अग्रवाल लेखा सदस्य)

**ITA No.1649/Kol/2019
Assessment Year: 2014-15**

Ricon Commodities Pvt. Ltd.		PCIT, Kolkata-4, Kolkata
Mouza Kochpukur, Toji No. 145, PS: Bhangore, 24 Parganas South, Kolkata - 700 013.	Vs.	
(PAN: (AACCR 7304 R)		
(Appellant)		(Respondent)

Present for:

Appellant by : Shri Nirav Sheth, FCA
Respondent by : Shri Amal Sudhir Kamat, CIT

Date of Hearing : 12.09.2022
Date of Pronouncement : 13.09.2022

ORDER

PER GIRISH AGRAWAL, ACCOUNTANT MEMBER:

This appeal by the assessee is directed against the order of ld. Pr. CIT-4, Kolkata dated 01.03.2019 for A.Y. 2014-15 passed u/s. 263 of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

2. Shri Nirav Sheth, FCA appeared for the assessee and Shri Amal Kamat, CIT appeared on behalf of the revenue.

3. At the time of hearing, Ld. AR of the assessee submitted that the assessee has opted for Direct Tax Vivad Se Vishwas Scheme, 2020 (hereinafter, the 'scheme') and had filed Form no. 1 and Form no. 2 before the Competent Authority and the Competent Authority had accepted it and had issued Form-3. Thereafter the assessee has

remitted the tax as per Form 3 and filed form no. 4 and the department has also issued Form-5 in respect of order for full and final settlement of tax arrears u/s. 5(2) read with section 6 of the Direct Tax Vivad Se Vishwas Act, 2020 (3 of 2020). Since the assessee has paid the due taxes, there is no point in keeping the impugned appeal pending. Apropos the discussion (supra) and since ld. CIT, DR does not have any objection in withdrawing the same, we allow the assessee to withdraw the impugned appeal.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Order is pronounced in the open court on 13 September, 2022

Sd/-

(SANJAY GARG)
JUDICIAL MEMBER

Sd/-

(GIRISH AGRAWAL)
ACCOUNTANT MEMBER

Kolkata, Dated: 13.09.2022
Biswajit, Sr. P.S.

Copy to:

1. The Appellant: Ricon Commodities Pvt. Ltd.
2. The Respondent: PCIT, Kolkata-4, Kolkata.
3. CIT- Kolkata.
4. CIT(A)- Kolkata
5. The DR, ITAT, Kolkata Bench, Kolkata

//True Copy//

By Order

Assistant Registrar
ITAT, Kolkata Benches, Kolkata