

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

BEFORE SMT.ANNAPURNA GUPTA, ACCOUNTANT MEMBER
AND
SHRI T.R. SENTHIL KUMAR, JUDICIAL MEMBER

ITA No.1205/Ahd/2016
Asstt.Year : 2011-12

Navinchandra C. Patel A/08, Hanspura Residency Naroda Dehgam Road Hanspura Ahmedabad. PAN : ACCPP 4447 Q	Vs	ITO, Ward-14(1) Ahmedabad.
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(Applicant)		(Responent)
Assessee by :		Shri Parimalsinh Parmar, AR
Revenue by :		Shri Atul Pandey, Sr.DR

सुनवाई की तारीख/Date of Hearing : 20/09/2022

घोषणा की तारीख /Date of Pronouncement: 28/09/2022

आदेश/O R D E R

PER ANNAPURNA GUPTA, ACCOUNTANT MEMBER

The present appeal has been filed by the assessee against order passed by the Commissioner of Income Tax(Appeals)-5, Ahmedabad (in short referred to as ld.CIT(A) under section 250(6) of the Income Tax Act, 1961 ("the Act" for short), dated 26.02.2016 pertaining to Asst.Year 2011-12.

2. At the outset, the ld.counsel for the assessee submitted that the assessee has opted for Vivad se Vishwas Scheme, and therefore, the assessee wanted to withdraw his present appeal filed before the Tribunal. He also filed a copy of letter dated 6.7.2022 signed by the assessee in this behalf and also copy of Form No.3 issued by the designated authority with direction to make settlement amount. The ld.DR has no objection for withdrawal of the appeal if the matter is settled in accordance VSV scheme.

3. In the light of the submission made by the ld.counsel for the assessee seeking withdrawal of the appeal under VSV scheme, we find no reason to keep pending appeals of the assessee before the Tribunal. Accordingly, the appeal of the assessee stand dismissed. However, in the event, the assessee fails to avail the benefit of VSV Scheme for any reasons, then the assessee will be at liberty to seek restoration of original appeal for adjudication before ITAT in accordance with law.

4. In the result, the appeal of the assessee is dismissed under VSV scheme.

Order pronounced in the Court on 28th September, 2022 at Ahmedabad.

**Sd/-
(T.R. SENTHIL KUMAR)
JUDICIAL MEMBER**

**Sd/-
(ANNAPURNA GUPTA)
ACCOUNTANT MEMBER**

Ahmedabad, dated 28/9/2022