

आयकर अपीलिय अधिकरण, 'सी' न्यायपीठ, चेन्नई।
IN THE INCOME TAX APPELLATE TRIBUNAL
'C' BENCH: CHENNAI

श्री वी. दुर्गा राव, माननीय न्यायिक सदस्य एवं
श्री जी. मंजूनाथा, माननीय लेखा सदस्य के समक्ष
BEFORE SHRI V. DURGA RAO, HON'BLE JUDICIAL MEMBER AND
SHRI G. MANJUNATHA, HON'BLE ACCOUNTANT MEMBER

आयकर अपील सं./ITA No.1010/Chny/2019
निर्धारण वर्ष /Assessment Year: 2010-11

M/s.Arun RamKumar-
Educational Trust,
New No.21, Old No.11,
Plot No.4, 1st Floor,
Sivaraman Street,
Triplicane, Chennai.

v. The Dy.Director of Income
Tax, Exemptions-III,
Chennai.

[PAN: AAATA 0981 A]
(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/ Appellant by : Mr.T.Vasudevan, Adv.
प्रत्यर्थी की ओर से /Respondent by : Mr.P. Sajit Kumar, JCIT
सुनवाई की तारीख/Date of Hearing : 29.09.2022
घोषणा की तारीख /Date of Pronouncement : 29.09.2022

आदेश / ORDER

PER G. MANJUNATHA, AM:

This appeal filed by the assessee is directed against the order of the Commissioner of Income Tax (Appeals)-17, Chennai, dated 29.01.2019 and pertains to assessment year 2010-11.

2. We have heard learned counsel for the assessee and learned DR and also perused the materials available on record. At the time of hearing, learned counsel for the assessee has filed a letter along with Form No.5 issued by the Department under 'Vivad se Vishwas Scheme, 2020' and

:: 2 ::

submitted that the assessee has availed the VSVS scheme to settle its pending disputes. The Id. counsel for the assessee further submitted that the Department has accepted application filed by the assessee and issued Form No.5 quantifying amount of taxes payable under VSVS scheme. Therefore, the Id. counsel for the assessee submitted that the appeal filed by the assessee may be dismissed as withdrawn. The Id. DR, on the other hand, has no objection for dismissing the appeal as the Designated Authority has issued Form No.5. Therefore, considering fact that the assessee has filed application for withdrawal of appeal and has also filed Form No.5 issued by the Department, we dismiss appeal filed by the assessee as withdrawn. However, a liberty is given to the assessee to restore the appeal, in case application filed by the assessee before the Designated Authority, is rejected for any reason.

3. In the result, appeal filed by the assessee is dismissed as withdrawn.

Order pronounced on the 29th day of September, 2022, in Chennai.

Sd/-

(वी. दुर्गा राव)

(V. DURGA RAO)

न्यायिक सदस्य/**JUDICIAL MEMBER**

चेन्नई/Chennai,

दिनांक/Dated: 29th September, 2022.

TLN

आदेश की प्रतिलिपि अग्रेषित/**Copy to:**

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकर आयुक्त (अपील)/CIT(A)

Sd/-

(जी. मंजूनाथा)

(G. MANJUNATHA)

लेखा सदस्य/**ACCOUNTANT MEMBER**

4. आयकर आयुक्त/CIT
5. विभागीय प्रतिनिधि/DR
6. गार्ड फाईल/GF