

**IN THE INCOME TAX APPELLATE TRIBUNAL  
LUCKNOW BENCH 'B', LUCKNOW**

**BEFORE SHRI MAHAVIR SINGH, VICE PRESIDENT  
AND SHRI GIRISH AGRAWAL, ACCOUNTANT MEMBER**

ITA No.333 & 334/Lkw/2019  
Assessment Year:2014-15 & 15-16

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| Roop Chand Rajendra Kumar,<br>15/6-A, Civil Lines,<br>Kanpur.<br>PAN:AAFHR3866J<br>(Appellant) | Vs. | Income Tax Officer,<br>Ward-1(3),<br>Kanpur.<br><br>(Respondent) |
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|-----------------------|------------------------------------|
| Appellant by          | Application for disposal of appeal |
| Respondent by         | Smt. Sheela Chopra, CIT, D.R.      |
| Date of hearing       | 30/11/2022                         |
| Date of pronouncement | 30/11/2022                         |

**ORDER**

**PER BENCH:**

These two appeals, filed by the assessee, are arising out of the order of learned CIT(A)-I, Kanpur in appeal No. CIT(A)-I/10210/ITO-1(3)/KNP/2016-17/5 and No. CIT(A)-I/10210/ITO-1(3)/KNP/2016-17/6 both dated 05/04/2019 pertaining to assessment year 2014-15 & 15-16 against the assessment order passed by Assessing Officer-1(3), Kanpur u/s 133(3) of the I.T. Act.

2. At the very outset, it was noted that the assessee has submitted an application dated 16/11/2022 vide which it has been submitted that the Income Tax Department has passed Order in Form No.5, dated 15/11/2021

for assessment year 2014-15 and 2015-16, the assessment years under consideration, under Vivad Se Vishwas Scheme. The assessee has filed the copies of Form No.5, i.e., the order of the PCIT-1, Kanpur for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for Assessment Year 2014-15 & 2015-16. It was contended that since the assessee has opted for Vivad Se Viswas Scheme and tax payable have been deposited and order for final settlement of tax arrears has been passed by the designated authority, therefore, the appeals filed by the assessee may be dismissed as withdrawn. The Ld. D.R. has no objection. Accordingly, since order has been passed by the PCIT-1, Kanpur for full and final settlement of tax arrears under section 5(2) read with section 6 of the DTVSVA, 2020, for Assessment Year 2014-15 & 2015-16, both the appeals of the assessee are ordered to be dismissed as withdrawn.

3. In the result, both the appeals of the assessee stand dismissed.

(Order pronounced in the open court on 30/11/2022)

**Sd/.**  
**(MAHAVIR SINGH)**  
**Vice President**

**Sd/.**  
**(GIRISH AGRAWAL)**  
**Accountant Member**

Dated:30/11/2022

\*Singh

**Copy of the order forwarded to :**

1. The Appellant
2. The Respondent.
3. Concerned CIT
4. The CIT(A)
5. D.R., I.T.A.T., Lucknow

Assistant Registrar