

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'E' NEW DELHI**

**BEFORE SHRI PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER
AND
SHRI N.K. CHOUDHRY, JUDICIAL MEMBER**

**ITA No. 8359/Del/2019
Assessment Year: 2014-15**

Mohit Aggarwal, E-12,
Bhagwan Das Nagar, East
Punjabi Bagh, New Delhi.

PAN: ADFPA3976K
(Appellant)

Versus Income Tax Officer,
Ward 71(4), New Delhi

(Respondent)

Appellant by : None
Respondent by : Shri Jitender Chand, Ld. Sr. DR

Date of hearing : 22.12.2022
Date of order : 30.12.2022

ORDER

PER N.K. CHOUDHRY, J.M.

This appeal has been preferred by the Assessee against the order dated 28.08.2019, impugned herein, passed by the learned Pr. Commissioner of Income-tax -28, New Delhi for the assessment year 2014-15.

2. The learned AR of the Assessee vide application dated 12.12.2022 claimed that since the Assessee has availed the immunity scheme i.e. Vivad Se Vishwas under The Direct Tax Vivad se Vishwas Act, 2020 and the Income Tax Department has issued Form No. 5 in response to the application filed by the Assessee under the scheme, therefore, the Assessee's appeal may be dismissed as withdrawn.

3. The Ld. DR did not refute the factual position and claim of the Assessee.

4. Considering the request of the Id. AR for withdrawal of the appeal and Form-5 dated 11.11.2021 (Copy already on record) issued by the Department, the appeal of Assessee is liable to be dismissed as withdrawn, hence, ordered accordingly.

5. In the result, Assessee's appeal under consideration stands dismissed as withdrawn.

Order pronounced in the open court on 30/12/2022.

Sd/-

(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER

Sd/-

(N.K. CHOUDHRY)
JUDICIAL MEMBER

*aks/-