

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'F', NEW DELHI**

**BEFORE SH. N. K. BILLAIYA, ACCOUNTANT MEMBER
AND
SH. N. K. CHOUDHRY, JUDICIAL MEMBER**

**ITA No.6850/DEL/2019
Assessment Year: 2015-16**

Rajinder Kumar Jain HUF AG-24, Shalimar Bagh, North West, Delhi, Delhi- 110088 PAN No.AAFHR0078G	Vs	ACIT Circle – 34 (1) New Delhi
(APPELLANT)		(RESPONDENT)

Appellant by	Ms. Praveen Gupta, CA
Respondent by	Sh. M. K. Pandey, SR DR

Date of hearing:	23/01/2023
Date of Pronouncement:	23/01/2023

ORDER

PER N. K. BILLAIYA, AM:

This appeal by the assessee is preferred against the order of the CIT(A)-12, New Delhi dated 19.06.2019 pertaining to A.Y.2015-16.

2. At the very outset the authorized representative drew our attention to form No.5 being order for full and final settlement of tax arrear under direct tax VSV Act, 2020 and pointed out that the quarrel relating to the quantum has been settled under VSVS

Act, 2020, therefore, the consequent levy of penalty u/s. 271 (1) (c) of the Act does not survive as per relevant provisions of the VSVS Act, 2020.

3. We have carefully perused the documents filed before us. We find force in the contention of the Counsel the tax relating to the quantum dispute have been settled as per the tax challan submitted before us. We, therefore, deem it fit to restore the issues in the appeal to the files of the AO. The AO is directed to decide the issues as per relevant provision of the VSVS Act, 2020 as the quarrel relating to the quantum have been settled.

4. In the result, the appeal of the assessee is allowed for statistical purpose.

Order announced in the open court on 23.01.2023.

Sd/-
(N. K. CHOUDHRY)
JUDICIAL MEMBER

NEHA

Date:- .01.2023

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

Sd/-
(N. K. BILLAIYA)
ACCOUNTANT MEMBER

ASSISTANT REGISTRAR
ITAT NEW DELHI