

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

**SHRI SHAMIM YAHYA, ACCOUNTANT MEMBER
and
SHRI KUL BHARAT, JUDICIAL MEMBER**

**ITA No.4767/Del./2019
(ASSESSMENT YEAR : 2015-16)**

Mahander Kumar Jain,
H.No.327, Sector 15,
Gurgaon – 122 001 (Haryana)

vs. ITO, Ward 2 (5),
Gurgaon.

(PAN : ACCPJ1196L)

(APPELLANT)

(RESPONDENT)

ASSESSEE BY : Ms. Kavita Gupta, CA
REVENUE BY : Shri Jitender Chand, Sr. DR

Date of Hearing : 02.02.2023
Date of Order : 02.02.2023

ORDER

PER SHAMIM YAHYA, ACCOUNTANT MEMBER :

This appeal filed by the assessee is directed against the order of Id. CIT (A)-1, Gurgaon dated 29.03.2019 and pertains to assessment year 2015-16.

2. Ld. AR for the assessee submitted that an application has been filed seeking withdrawal of the appeal on the ground that the assessee has opted to settle the dispute relating to the tax arrears for the assessment year under consideration under the “Vivad Se Vishwas Scheme, 2020” and has filed Form 5 issued by the Tax Department.

3. Keeping in view the aforesaid facts, present appeal is hereby dismissed with liberty to get it restored in case dispute is not settled as per scheme. The Revenue has no objection with regard to the aforesaid caveat. Consequently, the appeal filed by the assessee is dismissed.

Order pronounced in the open court on this 2nd day of February, 2023 after the conclusion of the hearing..

**Sd/-
(KUL BHARAT)
JUDICIAL MEMBER**

**sd/-
(SHAMIM YAHYA)
ACCOUNTANT MEMBER**

Dated the 2nd day of February, 2023/TS

Copy forwarded to:

- 1.Appellant
- 2.Respondent
- 3.CIT
- 4.CIT(A)-1, Gurgaon.
- 5.CIT(ITAT), New Delhi.

**AR, ITAT
NEW DELHI.**