

**IN THE INCOME TAX APPELLATE TRIBUNAL  
[ DELHI BENCH : “ G” NEW DELHI ]**

**BEFORE DR. B. R. R. KUMAR, ACCOUNTANT MEMBER  
AND  
SH. YOGESH KUMAR U.S., JUDICIAL MEMBER**

**I.T.A. No. 2720/DEL/2019 (A.Y 2015-16)**

Sanjay Khosla 1555, Church Road, Kashmere Gate, New Delhi <b>PAN: AAAPK2633D</b> <b>(APPELLANT)</b>	Vs.	ACIT Circle-35(1) New Delhi <b>(RESPONDENT)</b>
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<b>Appellant by</b>	<b>An application for withdrawal</b>
<b>Respondent by</b>	<b>Sh. Ram Dhan Meena, Sr. DR</b>

<b>Date of Hearing</b>	<b>23.02.2023</b>
<b>Date of Pronouncement</b>	<b>24.02.2023</b>

**ORDER**

**PER YOGESH KUMAR U.S., JM**

This appeal is filed by the assessee against the order dated 22/11/2018 passed by CIT(A)-12, New Delhi for Assessment Year 2015-16.

2. The captioned assessee has sought to withdraw the appeal listed above on the ground that assessee has opted to avail benefits of 'Vivad sse Vishwas Scheme, 2020' (VSV). As per letter dated 16<sup>th</sup> February, 2023 filed by the assessee, it is submitted that assessee does not seek to pursue the said appeal

owing to exercise of option for availing VSV Scheme and consequently requested that assessee's application for withdrawal of appeal may please be granted, the assessee also filed Form No. 5 issued under the Scheme. Therefore, submitted that the appeal may be allowed to be withdrawn.

3. The ld. DR also agreed with the above contentions.

4. On careful consideration of the fact it is found that Form No. 5 has been issued to the assessee by the Department on 14<sup>th</sup> January, 2021 under 'The Direct Tax Vivad Se Vishwas Act, 2020'. Therefore, the appeal is allowed be withdrawn and hence dismissed.

5. In the result, appeal is filed by the assessee is dismissed.

**Order pronounced in the Open Court on : 24<sup>th</sup> February, 2023.**

**Sd/-**  
**(B. R. R. KUMAR)**  
**ACCOUNTANT MEMBER**

**Sd/-**  
**(YOGESH KUMAR U.S.)**  
**JUDICIAL MEMBER**

Dated : 24/02/2023  
\*R. N, Sr. PS\*

Copy forwarded to :

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

ASSISTANT REGISTRAR  
ITAT NEW DELHI