

आयकर अपीलीय अधिकरण न्यायपीठ रायपुर में।
IN THE INCOME TAX APPELLATE TRIBUNAL,
RAIPUR BENCH, RAIPUR

BEFORE SHRI RAVISH SOOD, JUDICIAL MEMBER
AND
SHRI G D PADMAHSHALI, ACCOUNTANT MEMBER

आयकर अपील सं. / ITA No.17/RPR/2019

निर्धारण वर्ष / Assessment Year : 2015-16

Smt. Reetu Nihlani
C/o. Sri Harish Nihlani
M/s. Kanwar Industries,
Vill : Khokhali, Bhatapara (C.G.)
PAN: AEHPN1438E

.....अपीलार्थी / Appellant

बनाम / V/s.

The Income Tax Officer,
Bhatapara (C.G.)

.....प्रत्यर्थी / Respondent

Assessee by : Shri R.B Doshi, CA
Revenue by : Shri Piyush Tripathi, Sr. DR

सुनवाई की तारीख / Date of Hearing : 23.02.2023

घोषणा की तारीख / Date of Pronouncement : 23.02.2023

आदेश / ORDER**PER RAVISH SOOD, JM:**

The present appeal filed by the assessee is directed against the order passed by the CIT(Appeal)-1, Raipur dated 05.09.2018, which in turn arises from the order passed by the A.O under Sec. 143(3) of the Income-tax Act, 1961, dated 19.12.2017 for assessment year 2015-16.

2. The assessee has filed a letter dated 20.02.2023, wherein it is stated that in order to settle the aforesaid appeal pending before the Tribunal an application has been filed under the Direct Tax Vivad se Vishwas Act, 2020. During the course of hearing of the appeal, it was stated by the Ld. Authorized Representative (in short 'AR') for the assessee that "Form 5" have been issued by the designated authority. Backed by the aforesaid facts it is requested that the captioned appeal may be allowed to be withdrawn.

3. The ld. D.R did not controvert the aforesaid factual position as had been stated before us.

4. In view of the above we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme, then, the appellant shall have liberty to approach the Tribunal for restoration of its appeal.

5. Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in open Court on 23rd day of February, 2023.

Sd/-
G D PADMAHSHALI
(ACCOUNTANT MEMBER)

Sd/-
RAVISH SOOD
(JUDICIAL MEMBER)

रायपुर/ RAIPUR ; दिनांक / Dated : 23rd February, 2023
SB

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(Appeal)-1, Raipur (C.G)
4. The Pr. CIT-1, Raipur (C.G)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, रायपुर बेंच,
रायपुर / DR, ITAT, Raipur Bench, Raipur.
6. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

निजी सचिव / Private Secretary
आयकर अपीलीय अधिकरण, रायपुर / ITAT, Raipur.