

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

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

ITA No.1381/Del/2016
Assessment Year: 2009-10

M/s. Sarve N Grow Finsec Pvt. Ltd. B-466, Nehru Ground, NIT, Faridabad PAN No.AAHC5198P (APPELLANT)	Vs	ACIT Circle –II Faridabad (RESPONDENT)
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Appellant by	Sh. Abhishek Mathur, CA
Respondent by	Sh. Ajay Kumar Arora, Sr. DR

Date of hearing:	25/04/2023
Date of Pronouncement:	25/04/2023

ORDER

PER N. K. BILLAIYA, AM:

This appeal by the assessee is preferred against the order of the CIT(A), Faridabad dated 08.01.2016 pertaining to A.Y.2007-08.

2. At the very outset the authorized representative of the assessee moved the following application for kind consideration:-

S. M. MATHUR & CO.
CHARTERED ACCOUNTANTS.



YSK
file

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The Bristol Hotel, Near Sikanderpu
Metro Station, DLF Phase-I, Sector
Gurugram, Haryana – 1220002.

Regd. Office: B-8/6115, Vasant Kunj,
New Delhi-110070.

Phone No. : 0124-2355633
0124-2350633

Dated: 25th April, 2023

Ref.

To

The Hon'ble Members
Income Tax Appellate Tribunal,
"H Bench",
Lok Nayak Bhawan,
Khan Market,
New Delhi.

Ref.: M/s Save N Grow Finsec Pvt. Ltd.,
B-466, Nehru Ground, NIT, Faridabad,

Sub.: Withdrawal of Appeal
I.T.A. No. 1381/DEL/2016,
Assessment Year 2009-10.

Sir,

The hearing of the above captioned appeal has been fixed by your honours for today. In this connection we have to submit to your honours that the above appellant for the year under appeal had filed an appeal before the Hon'ble ITAT, "D Bench", New Delhi on 14.11.2017 which was registered in I.T.A. No. 1381/DEL/2016 against the Ex-parte order passed by the Hon'ble learned Commissioner of Income Tax (Appeals), Faridabad whereby he sustained the addition of Rs.10,00,000/- made by the learned Assessing Officer, Faridabad. This appeal had been dismissed by your honours due to Non-appearance of the appellant on 14th Nov., 2017. Copy of order of the Hon'ble ITAT, "D Bench", New Delhi is enclosed herewith from page No. 1 to 2 of this letter.

The above appellant being an aggrieved by the aforesaid order of the Hon'ble ITAT, "D Bench", New Delhi filed a Miscellaneous Application u/sec. 24 of the Income Tax (Appellate Tribunal), Rules, 1963 on 01.01.2018. Copy of the M.A. is enclosed herewith from page No. 3 to 5 of this letter. This Misc. Application has been approved and the said appeal is once again fixed before your honours for hearing today. In the mean time, the Government of India has announced a scheme i.e. "Vivad se Vishwas Scheme 2020" to settle the prolonged disputes lying in the concerned Income Tax Department so as to reduce the overload work burden of the concerned Department. The above appellant had wished to avail the benefit of "Vivad se Vishwas Scheme 2020" by paying 25% of the aforesaid addition and had filed Form Nos. 1, 2, 3 and 4 under the "Vivad se Vishwas Act 2020". The above appellant had

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also received Form No. 5 issued by the Hon'ble Pr. Commissioner of Income Tax, Faridabad wherefrom it can be seen that the appellant had paid Rs.2,57,937/- being 25% of the total demand as full and final settlement against the aforesaid addition. The above appellant had already informed the Hon'ble ITAT, "D Bench", New Delhi vide their letter dated 01.03.2021 about the said settlement with a request to please treat this appeal as withdrawn on account of the full and final settlement made under the "Vivad se Vishwas Scheme 2020" announced by the Government of India which was duly acknowledged by the ITAT official. Copy of the same along with copies of Form Nos. 1, 2, 3, 4 & 5 is enclosed herewith from page No. 6 to 23 of this letter for your honour's kind consideration and records.

Under these circumstances we request your honours to kindly grant us the permission to withdraw the aforesaid appeal fixed before your honours keeping in view the aforesaid submissions for which we shall be obliged.

Thanking you,

Yours faithfully,
For S. M. MATHUR & CO.,
CHARTERED ACCOUNTANTS.

Encl: As above.

3. On the basis of the aforementioned application the appeal is dismissed as withdrawn.
4. Decision announced in the open court in the presence of both the parties on 25.04.2023.

SD/-
[ANUBHAV SHARMA]
JUDICIAL MEMBER

SD/-
[N.K. BILLAIYA]
ACCOUNTANT MEMBER

Dated: .04.2023

Neha

Copy forwarded to:

1. Appellant
2. Respondent
3. CITi
4. CIT(A)
5. DR

Asst. Registrar
ITAT, New Delhi