

IN THE INCOME TAX APPELLATE TRIBUNAL,
NAGPUR BENCH

(At e- Court, Pune)

BEFORE SHRI R.S.SYAL, VICE PRESIDENT AND
SHRI S.S.VISWANETHRA RAVI, JUDICIAL MEMBER

आयकर अपील सं. /ITA Nos.68 & 69/Nag/2018

निर्धारण वर्ष / Assessment Years : 2010-11 & 2011-12

Isha Vaibhav Somaiya, Prop. Vrinda Enterprises, Plot No.17, Jeevan Chaya Colony, Amravati – 444 601 Maharashtra PAN : BHRPS0705D	Vs.	ITO, Ward-4, Amravati
Appellant		Respondent

Assessee by : None
Revenue by : Shri Amol Khairnar

सुनवाई की तारीख / Date of Hearing : 25.07.2023

घोषणा की तारीख / Date of Pronouncement : 26.07.2023

आदेश / ORDER

PER R.S.SYAL, VP:

These two appeals by the assessee arise from the order passed by the CIT(A)-1, Nagpur on 13-01-2017 in relation to the assessment years 2010-11 & 2011-12.

2. Before us, the assessee has filed a letter dated Nil seeking withdrawal of the appeals. The relevant content of such letter reads as under :

“Appellant has filed an appeal for AY 2010-11 on 27-03-2018 vide reference No. ITA 68/Nag/2018 and for AY 2011-12 on 05-04-2018 vide reference No. ITA 69/Nag/2018.

Appellant has enrolled into Vivad Se Vishwas Scheme which has been accepted and now therefore appellant wishes to withdraw appeal before your honour.

Appellant requests your honour to kindly allow withdrawal of appeal.”

3. The appellant has placed on record the requisite application Form No.3 filed under Vivad Se Vishwas Scheme. The ld. DR did not raise any objection to the withdrawal of the appeals, but prayed for restoration of the appeals in the event of failure of the assessee to pay the outstanding taxes. As such, the assessee is permitted to withdraw the appeals. However, if later on, it is found that the petition for VSVT did not get accepted due to any reason, the assessee will be at liberty to move application for restoration of the appeals.

4. In the result, the appeals are dismissed as ‘withdrawn’.

Order pronounced in the Open Court on 26th July, 2023.

Sd/-
(S.S. VISWANETHRA RAVI)
JUDICIAL MEMBER

Sd/-
(R.S.SYAL)
VICE PRESIDENT

पुणे / Pune; दिनांक / Dated : 26th July, 2023
Satish

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

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT-1, Nagpur
4. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, “नागपुर” बेंच,
/ DR, ITAT, “Nagpur” Bench
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

Senior Private Secretary
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune

		Date	
1.	Draft dictated on	25-07-2023	Sr.PS
2.	Draft placed before author	26-07-2023	Sr.PS
3.	Draft proposed & placed before the second member		JM
4.	Draft discussed/approved by Second Member.		JM
5.	Approved Draft comes to the Sr.PS/PS		Sr.PS
6.	Kept for pronouncement on		Sr.PS
7.	Date of uploading order		Sr.PS
8.	File sent to the Bench Clerk		Sr.PS
9.	Date on which file goes to the Head Clerk		
10.	Date on which file goes to the A.R.		
11.	Date of dispatch of Order.		

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