

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

**BEFORE SH. SAKTIJIT DEY, VICE PRESIDENT AND
SH. PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER**

ITA No.8324/Del/2018
(Assessment Year : 2012-13)

Muzaffarnagar District Cooperative Bank Ltd. C/o. Anil Deep and Company, 41/85, Sadar Bazar, Muzaffarnagar - 01 PAN No. AAAAM 4327 P (APPELLANT)	Vs.	ACIT Circle - 1 Muzaffarnagar (RESPONDENT)
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Assessee by	Shri Sankalp Malik, Adv.
Revenue by	Ms. Smita Singh, Sr. D.R.

Date of hearing:	28.08.2023
Date of Pronouncement:	28.08.2023

PER PRADIP KUMAR KEDIA, AM :

The captioned appeal has been filed at the instance of the assessee against the order of the Commissioner of Income tax (Appeals) - Muzaffarnagar ('CIT(A)' in short), dated 27.09.2018 concerning Assessment Year 2012-13.

2. The Counsel for the assessee has sought to withdraw the appeal listed above on the ground that assessee has opted to avail benefit of 'Vivad-se-Vishwas Scheme, 2020' (VSV). As per letter dated 27.08.2023 filed by Counsel for 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 application for withdrawal of appeal may please be granted.

3. The Learned Departmental Representative for the Revenue stated that he has no objection to withdraw the appeal in the circumstances narrated on behalf of the assessee.

4. In the light of requests made on behalf of the captioned party, the appeal is dismissed as withdrawn, However, in the event, the assessee fails to avail the benefit of VSV Scheme for any bonafide reasons, then the assessee concerned will be at seek restoration of original appeal for hearing before ITAT in accordance with law.

5. In the result, the captioned appeal is dismissed as withdrawn.

Order was pronounced in the open court on 28.08.2023

Sd/-

**(SAKTIJIT DEY)
JUDICIAL MEMBER**

Sd/-

**(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER**

Date:- 28.08.2023

*Priya Yadav**

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI