

आयकर अपीलीय अधिकरण, विशाखापटणम पीठ में
IN THE INCOME TAX APPELLATE TRIBUNAL
VISA KHAPATNAM BENCH, VISA KHAPATNAM

BEFORE
SHRI K.NARASIMHA CHARY, JUDICIAL MEMBER
&
SHRI S. BALAKRISHNAN, ACCOUNTANT MEMBER

आ.अपी.सं / ITA No.43 & 44/Viz/2024
(निर्धारण वर्ष / Assessment Year:2011-12 & 2012-13)

Gadde Sureshababu, Income Tax Officer,
Vijayawada. Vs. Ward-2(1),
[PAN :ACFPG5826R] Vijayawada.

अपीलार्थी / Appellant

प्रत्यर्थी / Respondent

निर्धारिती द्वारा/Assessee by: Shri GVN Hari, AR

राजस्व द्वारा/Revenue by: Dr. Aparna Villuri, Sr. AR

सुनवाई की तारीख/Date of hearing: 05/12/2024

घोषणा की तारीख/Pronouncement on: 05/12/2024

आदेश / ORDER

PER K. NARASIMHA CHARY, J.M:

Aggrieved by the orders dated 19/12/2023 passed by the learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi ("Ld. CIT(A)"), in the case of Sureshababu Gadde ("the assessee") for the assessment year 2011-12 & 2012-13, assessee preferred these appeals.

2. At the outset, learned Authorized Representative ("learned AR") submitted before us that the assessee desires to withdraw his appeals as

he has opted to avail 'Vivad Se Viswas' scheme and accordingly, the assessee has filed Form No.1. It was therefore, pleaded that the appeals of the assessee may be allowed to be withdrawn.

3. Learned Departmental Representative conceded to the request of the learned AR.

4. Having heard both the parties, we are inclined to allow the appeals of the assessee to be withdrawn yielding to the prayer of the learned AR and accordingly, hereby dismiss the appeals as withdrawn. However, we also make it clear that, if the assessee's cases are not accepted in Vivad Se Viswas scheme by the Revenue for whatsoever may be the reason, then the assessee shall be at liberty to file a Miscellaneous Petition before the Tribunal within the time limit prescribed under the Act to reinstate the appeals. It is ordered accordingly.

5. In the result, the appeals of assessee are dismissed as withdrawn.

Order pronounced in the open court on this the 05th December, 2024.

Sd/-
(S. BALAKRISHNAN)
(ACCOUNTANT MEMBER)
Hyderabad, Dated: 05/12/2024
OKK

Sd/-
(K. NARASIMHA CHARY)
JUDICIAL MEMBER

Copy forwarded to:

1. Gadde Sureshababu, D.No. 40-6/2-17 & 18, Gadde Towers, Opp. Sidhartha Public School, Mogalrajapuram, Vijayawada, Andhra Pradesh-520010.
2. Income Tax Officer, Ward-2(1), O/o. ITO, CR Building, MG Road, Vijayawada, Andhra Pradesh-520010.
3. Pr. CIT,
4. DR, ITAT, Visakhapatnam.
5. GUARD FILE.

आदेशानुसार / BY ORDER

Sr. Private Secretary
ITAT, Visakhapatnam