

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

BEFORE
SHRI K.NARASIMHA CHARY, JUDICIAL MEMBER
&
SHRI BALAKRISHNAN S., ACCOUNTANT MEMBER
(Through Hybrid Hearing)
आ.अपी.सं / ITA(IT &TP) No.14/Viz/2024
(निर्धारण वर्ष / Assessment Year: 2016-17)

Sivakama Sundar Manthravadi Vs. Commissioner of Income Tax
United Kingdom (IT & TP), Hyderabad
[PAN : AVSPM1372N]

अपीलार्थी / Appellant

प्रत्यर्थी / Respondent

निर्धारिती द्वारा/Assessee by: Ms.P.Chandini, Ld.AR
(through Hybrid hearing)

राजस्व द्वारा/Revenue by: Shri MN Murthy Naik, CIT(DR)

सुनवाई की तारीख/Date of hearing: 27/11/2024

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

आदेश / ORDER

PER K. NARASIMHA CHARY, J.M:

Aggrieved by the order dated 24/11/2023 passed by the learned Commissioner of Income Tax (IT&TP), in the case of Sivakama Sundar Manthravadi (“the assessee”) for the assessment year 2016-17, assessee preferred this appeal.

2. At the outset, Ld.AR submitted before us that the assessee desires to withdraw his appeal 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 It was therefore, pleaded that the appeal of the assessee may be allowed to be withdrawn.

3. The Ld. DR conceded to the request of the Ld.AR.
4. Having heard both the parties, we are inclined to allow the appeal of the assessee to be withdrawn yielding to the prayer of the Ld.AR and accordingly, hereby dismiss the appeal as withdrawn. However, we also make it clear that, if the assessee's case is not accepted in the 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 appeal. It is ordered accordingly.
5. In the result, the appeal of assessee is dismissed as withdrawn.

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

Sd/-
(BALAKRISHNAN S.)
ACCOUNTANT MEMBER

Sd/-
(K. NARASIMHA CHARY)
JUDICIAL MEMBER

Hyderabad,
Dated:05/12/2024

Copy forwarded to:

1. Shri Sivakama Sundar Manthravadi, C/o Ms.P.Chandini, Partner, Murthy & Associates, Flat No.101, VS Prasad's Panorama, Road No.1, Hill View Doctors Colony, Seethammadhara, Visakhapatnam
2. The Commissioner of Income Tax (IT & TP), Hyderabad
3. The Pr. CIT,
4. The Ld.DR, ITAT, Visakhapatnam.
5. GUARD File

By order

Sr. Private Secretary
ITAT, Visakhapatnam