

आयकर अपीलीय अधिकरण, सूरत न्यायपीठ, सूरत
IN THE INCOME TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT
BEFORE SHRI PAWAN SINGH, JUDICIAL MEMBER AND
SHRI BIJAYANANDA PRUSETH, ACCOUNTANT MEMBER
आयकर अपील सं./ITA Nos. 1205/SRT/2024 (AY 2011-12)
(Physical court hearing)

Shri Alpeshbhai Shamjibhai Kalavadia B-701-Shubham Tower-3, Daman Ropad, Chala, Vapi-396 191 [PAN : ACRPK 0884 B]	बनाम Vs	Income Tax Officer, Ward-1, Vapi, 8 th Floor, Fortune Square-II, Above TBZ, Chala, Vapi-396 191
अपीलार्थी/Appellant		प्रत्यर्थी /Respondent

निर्धारिती की ओर से /Assessee by	Ms. Krma Prajapati
राजस्व की ओर से /Revenue by	Shri Mukesh Jain– Sr-DR
सुनवाई की तारीख/Date of hearing	04.02.2025
उद्घोषणा की तारीख/Date of pronouncement	04.02.2025

Order under section 254(1) of Income Tax Act

PER PAWAN SINGH JUDICIAL MEMBER:

1. This appeal by assessee is directed against the order of National Faceless Appeal Centre, Delhi [for short to as "NFAC/Ld.CIT(A)"] dated 21.08.2024 for assessment year (AY) 2011-12. This appeal came up hearing today (4th February 2025).
2. The learned Authorised representative (AR) of the assessee submits that the assessee has availed benefit of Direct Vivad Se Visvas Scheme-2024 (DTVSV-24) and has received copy of Form-3 bearing acknowledgement No.822052580150125 dated 15th January 2015. The Id AR of the assessee submits that she has instruction from assessee to withdraw the present appeal as the tax demand for the AY 2011-12 has been settled. This fact was confronted with learned Senior Departmental Representative (Sr-DR) of the

revenue. The Id. Sr-DR for the Revenue submits that he has no objection, if the appeal of the assessee is dismissed as "withdrawn".

3. We have considered the application of assessee for withdrawal of appeal and considering the prayer of assessee, the appeal of the assessee is dismissed as "withdrawn" with liberty to the assessee as well as to the Revenue that in case, if the application preferred by the assessee under DVSV-2024 does not get finally settled for any reason whatsoever, then both the parties are at liberty to prefer Miscellaneous Application before this Tribunal for restoration of the appeal or any further direction and in such event, the appeal shall get restore. The Assessing Officer is directed to pass the consequential order.

4. In the result, the appeal of the assessee is dismissed as withdrawn.

Order announced on 04/02/2025 in open court.

Sd/-
(BIJAYANANDA PRUSETH)
लेखा सदस्य/Accountant Member

Sd/-
(PAWAN SINGH)
न्यायिक सदस्य/Judicial Member

सूरत / Surat Dated: 04/02/2025

Dkp Outsourcing Sr. P.S*

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

- अपीलार्थी/ The Appellant
- प्रत्यर्थी/ The Respondent
- आयकर आयुक्त/ CIT
- विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, सूरत/ DR, ITAT, SURAT
- गार्ड फाईल/ Guard File

// True Copy //

By order/आदेश से,

सहायक पंजीकार
आयकर अपीलीय अधिकरण, सूरत