

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. 388/SRT/2024 (AY 2015-16)
(Hybrid hearing)

Mithilesh Krishna Prasad Sinha G-20, Balaji Tower, Balaji Mandir Road, Amlī, Silvassa-396 230 [PAN : AXRPS 1553 L]	बनाम Vs	Income Tax Officer, Silvassa Ward, First Floor, Vee Bee Mall, Near Civil Court, Tokarkhada, Silvassa-396 230
अपीलार्थी/Appellant		प्रत्यर्थी /Respondent

निर्धारिती की ओर से /Assessee by	Ms. Kaushani Shah
राजस्व की ओर से /Revenue by	Shri Mukesh Jain– Sr-DR
सुनवाई की तारीख/Date of hearing	18.02.2025
उद्घोषणा की तारीख/Date of pronouncement	18.02.2025

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 15.02.2024 for assessment year (AY) 2015-16. This appeal came up hearing today (18th February 2025).
2. The learned Counsel for the assessee submits that the assessee has applied for seeking the benefits of Direct Vivad se Visvas Scheme -2024 (DTVSV-24) and his application has been accepted. The assessee also undertakes to pay tax as per the order of designated authority. The learned counsel for the assessee further submits that she may be allowed to withdraw this appeal. The assessee has also filed copy of Form-1 of DVSV-24 bearing acknowledgement No.840983380250125 dated 25.01.2025. This fact was confronted with

learned departmental representative (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 The Id.Sr-DR for the Revenue submits that he has no objection, if the appeal of the assessee is dismissed as "withdrawn".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assessee for withdrawal of appeal and considering the prayer of assessee, the appeal of the assessee is dismissed as "withdrawn" with liberty to the assessee as well as to the Revenue that in case, if the application preferred by the assessee under DVS-2024 does not get finally settled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 In the result, the appeal of the assessee is dismissed as withdrawn.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 18/02/2025 in the Virtual Court hearing.

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

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

सूरत / Surat Dated: 18/02/2025

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

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By order/आदेश से,

सहायक पंजीकार
आयकर अपीलीय अधिकरण, सूरत