

**IN THE INCOME TAX APPELLATE TRIBUNAL
AGRA BENCH, AGRA**

**Before Sh. Satbeer Singh Godara, Judicial Member
&
Sh. Manoj Kumar Aggarwal, Accountant Member**

ITA No. 109/Agr./2018 : Asstt. Year: 2007-08

Kumud Kumar Garg, 30, Dwarikesh Colony, Shahganj Darwaja, Mathura-281001	Vs	PCIT-1, Agra, U.P.-282002
(APPELLANT)		(RESPONDENT)
PAN No. AAWPA1359E		

**Assessee by : Sh. M. M. Agrawal
Revenue by : Sh. Sukesh Kumar Jain, CIT-DR**

Date of Hearing: 20.02.2025	Date of Pronouncement: 20.02.2025
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ORDER

Per Satbeer Singh Godara, Judicial Member:

This assessee's appeal for Assessment Year 2007-08, arises against the PCIT-1, Agra's case No.11/3/Pr.CIT-1/Agra/Vig./263/2016-17 dated 31.03.2017, in proceedings u/s 147/143(3) of the Income Tax Act, 1961 (in short "the Act").

2. Heard both the parties at length. Case file perused.
3. It emerges at the outset that the assessee has filed his application for withdrawal of the instant appeal as under:

"May it please your honours!

The subject appeal is directed against the order dated 31.03.2017 passed by learned Principal Commissioner of Income tax-1, Agra under section 263 of the Income Tax Act, 1961 (the 'Act') setting aside the assessment order

dated 3.07.2014 passed by the Income Tax Officer 1(3)(2), Mathura (the 'AO') under section 148/143(3) in the case of 'appellant' for assessment year 2007-08.

2. It is submitted that during the pendency of this appeal, the 'AO' passed order under section 263/147/144 of the Act on 4.12.2017 and also rectified the said assessment order by order dated 14.12.2017. The said orders were subject matter appeals No. 404 & 405/Agra/2024 before this Hon'ble Tribunal. The said appeals have been allowed to be withdrawn by Hon'ble Tribunal as per order pronounced 70.2005 view of 'appellant' opting for VSVS, 2024 to settle the tax dispute.

3. It is submided that since the consequential assessment order has been settled under VSVS, the subject appeal has become academic and may kindly be wed to be withdrawn"

4. The Revenue is equally fair in not disputing this clinching averments made by the assessee at this stage. Ordered accordingly.

5. This assessee's appeal is dismissed as withdrawn in above terms subject to all just exceptions.

Order Pronounced in the Open Court on 20/02/2025.

Sd/-
(Manoj Kumar Aggarwal)
Accountant Member

Sd/-
(Satbeer Singh Godara)
Judicial Member

Dated: 20/02/2025

Subodh Kumar, Sr. PS

Copy forwarded to:

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

ASSISTANT REGISTRAR