

IN THE INCOME-TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT
BEFORE SHRI PAWAN SINGH, JUDICIAL MEMBER &
SHRI BIJAYANANDA PRUSETH, ACCOUNTANT MEMBER

आयकर अपील सं./ITA No.1320/SRT/2024

Assessment Year: (2010-11)

(Physical court hearing)

Shri Hasmukh Bhogilal Shah A/703, Stuti Highland Society, Nr. Mathura Nagari, Palanpore Gam, Surat-395 009	बनाम/ Vs.	Income Tax Officer, Ward-3(1)(1), Surat Majura Gate, Surat-395 001
स्थायी लेखासं./जीआइआरसं./PAN/GIR No: AQKPS 9449 R		
(अपीलार्थी/Appellant)		(प्रत्यर्थी/Respondent)

निर्धारिती की ओर से /Appellant by	Shri Sapnesh R Sheth, CA
राजस्व की ओर से /Respondent by	Shri Mukesh Jain, Sr-DR
सुनवाई की तारीख/Date of Hearing	13/03/2025
उद्घोषणा की तारीख/Date of Pronouncement	13/03/2025

आदेश / ORDER

PER BIJAYANANDA PRUSETH, AM:

This appeal by assessee emanates from the order dated 28.10.2024 passed by the National Faceless Appeal Centre, Delhi under section 250 of the Income-tax Act, 1961 for assessment year (AY) 2010-11.

2. At the outset, learned Counsel for the assessee submits that the assessee has applied for seeking the benefits of Direct Vivad se Visvas Scheme -2024 (DTSV-24) and his application has been accepted. The learned counsel for the assessee further submits that he may be allowed to withdraw this appeal. He has also filed copy of Form No. 2 of DTSV-24, which was issued by the Designated Authority on 09.01.2025. This fact was confronted with learned Senior-departmental representative 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Revenue submits that he has no objection, if the appeal of the assessee is dismissed as “withdrawn”.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assessee for withdrawal of appeal and considering the prayer of assessee, the appeal of the assessee is dismissed as “withdrawn” with liberty to the assessee as well as to the revenue that in case the application preferred by the assessee under DVSV-2024 does not get finally settled for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 restored. The Assessing Officer is directed to pass the consequential order.

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 In the result, appeal of the assessee is dismissed as withdrawn.

Order is pronounced on 13/03/2025 in the open court.

Sd/-

(PAWAN SINGH)

न्यायिक सदस्य/JUDICIAL MEMBER

सूरत /Surat

दिनांक/ Date: 13/03/2025

Dkp Outsourcing Sr.P.S*

Sd/-

(BIJAYANANDA PRUSETH)

लेखा सदस्य/ ACCOUNTANT MEMBER

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

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

By order/आदेश से,

// True Copy //

सहायक पंजीकार

आयकर अपीलीय अधिकरण, सूरत