

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI “SMC” BENCH: NEW DELHI**

BEFORE SHRI PRADIP KUMAR KEDIA, ACCOUNTANT MEMBER

**ITA No.80/Del/2024
[Assessment Year : 2012-13]**

Aviraj Pratap X-155, Regency Part-2 CLF City, Phase-VI Haryana-122001 PAN-APKPP7361Q	vs	ITO Ward-1(5) Gurgaon
APPELLANT		RESPONDENT
Appellant by	None	
Respondent by	Shri Sanjay Kumar, Sr. DR	
Date of Hearing	09.04.2025	
Date of Pronouncement	09.04.2025	

ORDER

PER PRADIP KUMAR KEDIA, AM :

The captioned appeal has been filed at the instance of the assessee seeking to assail the First Appellate order dated 22.11.2023 passed by Commissioner of Income Tax (A), National Faceless Appeal Centre (“NFAC”), Delhi [“CIT(A)”] under s. 250 of the Income Tax Act, 1961 [“the Act”] arising from the assessment order dated 26.11.2019 passed under s. 144/147 of the Act relevant to assessment year 2012-13.

2. At the time of hearing, no one attended on behalf of the assessee. Vide letter dated 24.10.2024, it is submitted that the assessee has filed declaration in Form 1 in order to avail “*The Direct Tax Vivad Se Vishwas (DTVSV) Scheme, 2024*”. Form 2 has also been issued by the Income Tax Department. The Ld. Counsel of the assessee thus sought withdrawal of the captioned appeal.

3. The Ld. Sr. DR for the Revenue stated that he has no objection to withdraw the appeal as sought on behalf of the assessee.

4. In the light of oral/written request made on behalf of the assessee, the captioned appeal is dismissed. However, in the event, the assessee fails to avail the benefit of DTVSV Scheme for any *bonafide* reasons, then the assessee concerned shall be at liberty to seek restoration of original appeal for hearing before ITAT in accordance with law.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open Court on 09th April, 2025.

Sd/-

**(PRADIP KUMAR KEDIA)
ACCOUNTANT MEMBER**

Amit Kumar, Sr.P.S

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT, NEW DELHI