

**IN THE INCOME TAX APPELLATE TRIBUNAL
(DELHI BENCH: 'I': NEW DELHI)**

**BEFORE SHRI RAMIT KOCHAR, ACCOUNTANT MEMBER,
AND**

SHRI SUDHIR PAREEK, JUDICIAL MEMBER

ITA No.: 2334/Del/2022

(Assessment Year: 2018-19)

Aksh Optifibre Limited c/o Akul Agarwal & Associates D2/20, Ground Floor, Sector- 10, DLF, Faridabad-121006	v.	The Deputy Commissioner of Income Tax Central Circle26, Delhi
PAN No:AAACA0062F		
APPELLANT		RESPONDENT

Assessee by : Shri Akul Agarwal,CA
Revenue by : Shri S K Jadhav,CIT- DR

Date of Hearing :15.05.2025

Date of Pronouncement :15.05.2025

ORDER

PER RAMIT KOCHAR, AM:

This appeal in ITA No. 2334/Del/2022, filed by the assessee for the Assessment Year 2018-19, has arisen from the assessment order dated 29.07.2022(DIN:ITBA/AST/S/143(3)/2022-23/1044321186(1))passed by the

learned Assessing Officer , Central Circle-26, Delhi u/s 143(3) read with Section 144C(13) of the Income-tax Act, 1961 ("the Act").

2. At the outset ,ld. Counsel appearing for the assessee submitted before the Bench that the assessee has opted for Direct Tax Vivad Se Vishwas Scheme, 2024, and the department has already issued Form No 4 (DIN / Acknowledgment No. 850967781300125) for full and final settlement of the tax arrear under Sub-Section (2) of Section 92 read with Section 93 of Finance (No. 2) Act,2024 under the Direct Tax Vivad Se Vishwas Scheme, 2024. The assessee has placed on record Form Nos. 3&4. Prayers are made by the assessee that in view thereof, the assessee wants to withdraw its appeal in ITA No. 2334/Del/2022 for assessment year 2018-19.

3. On being asked by the Bench, learned CIT-DR submitted that the Department has no objection if the appeal of the assessee is allowed to be withdrawn.

4. After hearing both the parties and perusing the material on record, we hereby dismiss the appeal filed by the assessee in ITA No. 2334/Del/2022 for assessment year 2018-19 being withdrawn by the assessee. Since it is the assessee's appeal and the assessee is itself praying for its dismissal being withdrawn on having availed VSVS, 2024 scheme, we dismiss this appeal as being withdrawn by the assessee. In case , if due to any reason the aforesaid matter is not finally settled/approved under the scheme, the liberty is granted to the assessee to file application for restoration of its appeal. This order was pronounced in open court on the conclusion of hearing .We order accordingly.

5. In the result, appeal of the assessee in ITA no. 2334/Del/2022 for assessment year 2018-19 stands dismissed as being withdrawn, as indicated above.

Order pronounced in the open court on 15.05.2025.

Sd/-

**(SUDHIR PAREEK)
JUDICIAL MEMBER**

Dated: 16/05/2025.

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. DRP
5. DR

Sd/-

**(RAMIT KOCHAR)
ACCOUNTANT MEMBER**

Asst. Registrar,
ITAT, New Delhi