



**IN THE INCOME TAX APPELLATE TRIBUNAL  
JABALPUR BENCH "DB", JABALPUR**

**BEFORE SHRI KUL BHARAT, VICE PRESIDENT AND  
SHRI, NIKHIL CHOUDHARY, ACCOUNTANT MEMBER**

ITA No. 53/JAB/2024  
Assessment Year: 2014-15

<b>Ganpat Singh Patel</b> Prem Nagar, Balaghat H.O. Balaghat, Balaghat, 481001, Madhya Pradesh.	v.	<b>ITO Ward, Balaghat</b> Railway Station Road, Balaghat-481001.
<b>PAN:AEOPP9849L</b>		
(Appellant)		(Respondent)

Appellant by:	Shri Ashok Vijaywargiya, Adv
Respondent by:	Shri Alok Bhura, Sr. CIT(DR)
Date of hearing:	20   08   2025
Date of pronouncement:	28   08   2025

**ORDER**

**PER KUL BHARAT, VICE PRESIDENT.:**

This appeal, filed by the assessee, against the impugned order dated 28.03.2024 of the learned Commissioner Income Tax (Appeals) [hereinafter referred as to the "Ld.CIT(A)"/National Faceless Appeal Centre (NFAC), Delhi for the assessment year 2014-15. The Assessee has raised the following grounds of appeals: -

*"1. That the Ld. CIT (Appeals) has erred in upholding the impugned addition of Rs.73,97,720/- on account of disallowance of deduction u/s 54B which is unjustified, arbitrary and bad in law. The disallowance was made because the CIT erroneously categorized agricultural land as residential land, leading to the unjustified disallowance of deduction u/s 54B.*

*2. The Ld. CIT (Appeals) has erred in upholding the contested addition of Rs. 5,00,753/- due to the purported variance between the balance sheet amount and the valuation report, a discrepancy which is unsubstantiated, unwarranted, flawed, and legally infirm."*

*3. In the facts and circumstances of the case the learning C.I.T. has erred in passing the order under u/s 250 and same is bad in law and null and void.*

*4. In the facts and circumstances of the case the learning C.I.T. has erred in not giving the opportunity of being heard to appellant.*

*5. The penalty under section 271(1)(c) should be deleted as there was no deliberate concealment or furnishing of inaccurate particulars, and any discrepancies were inadvertent or based on bona fide interpretation."*

2. At the outset, the Ld. Counsel for the assessee submitted that the dispute has been settled under the Direct Tax Vivad se Vishwas Scheme, 2024 and prayed for withdrawal of the appeal. And a letter dated 20.08.2025 along with Form no. 1 & 2 is placed on record. The relevant contents of the letter dated 20.08.2025 is reproduced as under: -

*“The appellant, Shri Ganpat Singh Patel, had filed the captioned appeal on 16.04.2024 against the order passed u/s 250 dated 28.03.2024 for Assessment Year 2014-15. The assessee has since opted for resolution of the dispute under the Vivad se Vishwas Scheme, 2024 and has complied with the requirements thereunder.*

*The duly signed withdrawal application is attached herewith for consideration of this Hon’ble Bench.*

*In view of the above, it is most respectfully prayed that the present appeal, ITA. No. 53/JAB/2024, may kindly be treated as withdrawn and the proceedings be dropped.”*

3. The Learned Departmental Representative has no objection for withdrawal of the appeal.

4. In view of the facts discussed above, we permit the assessee to withdraw this appeal. Accordingly, the appeal is dismissed as withdrawn. However, a liberty is given to the assessee for approaching the Tribunal for restoration of this appeal in the event of failure of settlement of tax disputes.

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

Order pronounced in the open Court on 28/08/2025.

Sd/-  
[NIKHIL CHOUDHARY]  
ACCOUNTANT MEMBER

Sd/-  
[KUL BHARAT]  
VICE PRESIDENT

DATED: 28/08/2025

Vijay Pal Singh, (Sr. PS)

**Copy of the Order forwarded to :**

1. The Appellant
2. The Respondent
3. The CIT (Judicial)
4. The PCIT
5. DR, ITAT, Jabalpur
6. Guard File

By order

// True Copy//

Assistant Registrar  
ITAT, Jabalpur