

IN THE INCOME TAX APPELLATE TRIBUNAL
BANGALORE BENCH 'B' : BANGALORE

**BEFORE SHRI N.V. VASUDEVAN, VICE PRESIDENT AND
SHRI CHANDRA POOJARI, ACCOUNTANT MEMBER**

IT(TP)A No. & Asst. Year	Appellant	Respondent
475/Bang/2017 2012-13	M/s.WebEx Communications India Pvt. Ltd., Prestige Solitaire, Level II, No.6, Brunton Road, Bangalore-560 001 PAN AABCC 0256A	Asst. Commissioner of Income Tax, Circle 7(1)(2), Bangalore.

Assessee By:	Shri Keerthi Narayan, C.A.
Revenue By:	Shri Gopalan Guruswamy, CIT (D.R)

Date of Hearing :	07.12.2020.
Date of Pronouncement :	07.12.2020.

ORDER

PER SHRI CHANDRA POOJARI, A.M. :

This appeal filed by the assessee is directed against the Assessment Order Dt.30.12.2016. The assessee is aggrieved by the decision of Id. ACIT, Circle 7(1)(2), Bangalore.

2. At the time of hearing, the learned Authorised Representative submitted that the assessee has opted to file an application under the Vivad Se Vishwas Act, 2020. Accordingly, Id. AR submitted that the appeal may be dismissed with the liberty to move appropriate application for recall of the present order in accordance with law, if the assessee intended to do so.

3. On the other hand, the learned Departmental Representative submitted that the assessee has to withdraw the pending appeal after filing the Form VSV1 as per

Vivad Se Vishwas Act, 2020. Thereafter the assessee is required to furnish a copy of the same along with the proof of payment of tax as determined by the tax official to the department. Ld. DR submitted that the Form No.3 shall be issued to the assessee in due course and accordingly he submitted that the appeal of the assessee may be dismissed as withdrawn, as the assessee, in any way, is required to withdraw the appeal.

4. We have heard both the parties and perused the material on record. Since the assessee has opted for Vivad Se Vishwas Act, 2020, the assessee would be moving application for withdrawing the present appeal filed before the Tribunal in due course. Since the assessee has already filed the necessary applications before the tax authorities under the above said scheme, we are of the view that no purpose will be served in keeping the appeal pending. Accordingly, we dismiss the appeal of the assessee as withdrawn. Further the assessee is at liberty to move appropriate application for recall of the present order in accordance with the law, if the assessee intends to do so.

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 In the result, the appeal of the assessee is dismissed as withdrawn.

Pronounced in the open court on the date mentioned on the caption page.

Sd/-

(N.V. VASUDEVAN)
VICE PRESIDENT

Sd/-

(CHANDRA POOJARI)
ACCOU NTANT MEMBER

Dated: 07.12.2020.

*Reddy GP

Copy to

1. The appellant
2. The Respondent
3. CIT (A)
4. Pr. CIT
5. DR, ITAT, Bangalore.
6. Guard File

By order

Assistant Registrar
Income-tax Appellate Tribunal
Bangalore