

आयकर अपीलीय अधिकरण "ए" न्यायपीठ पुणे में ।
IN THE INCOME TAX APPELLATE TRIBUNAL "A" BENCH, PUNE

(Through Virtual Court)

BEFORE SHRI R.S.SYAL, VP AND
SHRI PARTHA SARATHI CHAUDHURY, JM

आयकर अपील सं. / ITA No. 1417/PUN/2017

निर्धारण वर्ष / Assessment Year : 2008-09

The Deputy Commissioner of Income Tax,
Central Circle 1(2), Pune.

.....अपीलार्थी / Appellant

बनाम / V/s.

Venkateshwara Hatcheries Pvt. Ltd.
S. No.114/A/2, " Venkateshwara House"
Pune- Sinhagad Road,
Pune-411 030.
PAN: AAACV7247H

.....प्रत्यर्थी / Respondent

Revenue by : Smt. Divya Bajpai

Assessee by : Shri Nikhil Pathak

सुनवाई की तारीख / Date of Hearing : 09.12.2020

घोषणा की तारीख / Date of Pronouncement : 09.12.2020

आदेश / ORDER

PER PARTHA SARATHI CHAUDHURY, JM:

This appeal by the Department is directed against the order passed by the CIT(Appeals), Pune-11 on 31.03.2017 in relation to the assessment year 2008-09.

2. Before us, legal heir of the assessee has filed a letter dated nil seeking withdrawal of the appeal filed by the Department. The relevant content of such letter reads as under:

“The above penalty appeal filed by the Income Tax Department for A.Y.2008-09 is fixed for hearing before Hon’ble ITAT Bench A on 9th December, 2020. In this respect it is submitted that we have e-filed Declaration in Form 1 and Undertaking in Form 2 as per Section 4(1) of the Direct Tax Vivad Se Vishwas Act, 2020. PCIT (Central), Pune has granted us Certificate in Form 3 on 20.11.2020. Copy of the Certificate in Form No.3 is enclosed herewith as Annexure-1.”

As per Section 4(2) of the Direct Tax Vivad Se Vishwas Act, 2020, once the certificate in Form 3 is issued by the designated authority, appeal hearing pending before ITAT shall be deemed to have been withdrawn and in view of above, we hereby request that the appeal filed by the Department may be withdrawn since the assessee company has been granted certificate in Form 3 under the Vivad Se Vishwas Scheme.”

3. The ld. DR did not raise any objection to the withdrawal of the appeal.
4. In the result, **appeal is dismissed as ‘withdrawn’**.

Order pronounced on 09th day of December, 2020.

Sd/-
R.S.SYAL
VICE PRESIDENT

Sd/-
PARTHA SARATHI CHAUDHURY
JUDICIAL MEMBER

पुणे / Pune; दिनांक / Dated : 09th December, 2020.

SB

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(Appeals), Pune-11.
4. The Pr. CIT (Central), Pune.
5. विभागीय प्रतिनिधि , आयकर अपीलीय अधिकरण, “ए” बेंच,
पुणे / DR, ITAT, “A” Bench, Pune.
6. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

निजी सचिव / Private Secretary
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune.

		Date	
1	Draft dictated on	09.12.2020	Sr.PS/PS
2	Draft placed before author	09.12.2020	Sr.PS/PS
3	Draft proposed and placed before the second Member		JM/AM
4	Draft discussed/approved by second Member		AM/JM
5	Approved draft comes to the Sr. PS/PS		Sr.PS/PS
6	Kept for pronouncement on		Sr.PS/PS
7	Date of uploading of order		Sr.PS/PS
8	File sent to Bench Clerk		Sr.PS/PS
9	Date on which the file goes to the Head Clerk		
10	Date on which file goes to the A.R		
11	Date of dispatch of order		