

**IN THE INCOME TAX APPELLATE TRIBUNAL  
“C” BENCH: BANGALORE**

**BEFORE SHRI GEORGE GEORGE K., JUDICIAL MEMBER  
AND  
SHRI B.R. BASKARAN, ACCOUNTANT MEMBER**

IT(TP)A No.2932/Bang/2018
Assessment Year: 2014-15

M/s. Molex (India) Pvt. Ltd. Plot No.6(A), Sadaramangala Industrial Area Kadugodi Bangalore-560 067  <b>PAN NO : AACCM6091N</b>	<b>Vs.</b>	Deputy Commissioner of Income-tax Circle-4(1)(2) Bangalore
<b>APPELLANT</b>		<b>RESPONDENT</b>

<b>Appellant by</b>	:	Shri Chavali Narayan, A.R.
<b>Respondent by</b>	:	Shri Pradeep Kumar, D.R.

Date of Hearing	:	17.12.2020
Date of Pronouncement	:	17.12.2020

**ORDER**

**PER B.R. BASKARAN, ACCOUNTANT MEMBER:**

The assessee has filed this appeal challenging the assessment order dated 24-08-2018 passed by the AO for the assessment year 2014-15 u/s 143(3) r.w.s. 144C of the Income-tax Act,1961 [‘the Act’ for short] in pursuance of directions given by Ld Dispute Resolution Panel (DRP).

2. The Ld Counsel appearing for the assessee submitted that the assessee has opted to settle the dispute under Direct Tax Vivad Se Vishwas Act for settlement of the dispute. He submitted that the

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assessee has not yet filed the relevant forms before the designated authority. Accordingly, the Ld A.R sought adjournment of the case.

3. The Ld D.R, however, submitted that the assessee has to withdraw the pending appeal after filing 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. Accordingly he submitted that the appeal of the assessee may be dismissed as withdrawn, as the assessee, in any way, is required to withdraw the appeal.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. The Ld A.R, in the rejoinder, submitted that the assessee should be given liberty to seek recall of the order, if the appeal is dismissed by the bench and something goes wrong.

5. We heard the parties and perused the record. Since the assessee has opted to settle the dispute under Direct Tax Vivad Se Vishwas Act, 2020, the appellant would be moving application for withdrawing the present appeal filed before the Tribunal in due course. The Ld A.R submitted that the assessee would be filing necessary applications before the tax authorities under the above said Act within few days. Hence, we are of the view that no purpose will be served in keeping this appeal pending. Accordingly we dismiss the appeal of the assessee as withdrawn. However, the assessee is given liberty to move appropriate application for recall of the present order in accordance with the law, if the assessee intends to do so.

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

Order pronounced in the open court on 17<sup>th</sup> Dec, 2020

**Sd/-**  
**(George George K.)**  
**Judicial Member**

**Sd/-**  
**(B.R. Baskaran)**  
**Accountant Member**

Bangalore,  
Dated 17<sup>th</sup> Dec, 2020.  
VG/SPS

**Copy to:**

1. The Applicant
2. The Respondent
3. The CIT
4. The CIT(A)
5. The DR, ITAT, Bangalore.
6. Guard file

By order

Asst. Registrar, ITAT, Bangalore.