

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD 'B' BENCH : Hyderabad**

(Through Video Conferencing)

**Before Smt. P. Madhavi Devi, Judicial Member
And
Shri A. Mohan Alankamony, Accountant Member**

**ITA -IT No. 1789/Hyd./2019
Assessment Year: 2016-17**

M/s SeedWorks Singapore Pte Limited vs. ADIT, International
Singapore Taxation -2 Hyderabad
PAN: AARCS1178F

(Appellant)

(Respondent)

For Assessee: Sh. Rajan Vohra, A.R.
For Revenue: Sh. YVST Sai, CIT, D.R.

Date of Hearing : 11/08/2020

Date of Pronouncement : 12/08/2020

O R D E R

Per Smt. P. Madhavi Devi, J.M.

This is assessee's appeal against the assessment order dated 21/10/2019 passed u/s 144C r.w.s. 143(3) of the I.T.Act, 1961.

At the outset, ld.Counsel for assessee vide e-mail dated 06/08/2020 requested as under:

*"Dear Sir,
Ref: Seedworks Singapore Pte Ltd. (PAN AARCS1178F) AY 2016-17
Appeal filed against the final assessment order passed u/s 143(3)
r.w.s.144C (13) of the Income Tax Act, 1961 dated 21st October, 2019.
Appeal no. 1789/Hyd/2019.*

Sub: Request for withdrawal of the appeal.

We under the instructions, from and on behalf of the Company, submit that the above referred appeal was filed with your Honours on 11 December 2019 against the Final Order dated October 21,2019. In this respect, we wish to state as under:

After the appeal was filed before your Honours, the Government of India enacted the Direct Tax Vivad se Vishwas Act, 2020 ('VSV Act') to provide an opportunity to the taxpayers to end their tax disputes by paying the disputed tax and get a waiver from interest and penalties and reduce income tax litigation.

Without prejudice to the merits of the appeal filed and the fact that the Company firmly believes that it is entitled to avail the provisions of the India - Singapore Double Taxation Avoidance Agreement ('DTAA') and not liable to tax in India, the Company with the sole objective of ending the ongoing tax dispute has filed declaration in prescribed Form 1 as per section 4 of the VSV Act along with an undertaking in Form 2 electronically on August 01,2020 (copy of the filed form is enclosed as Annexure 1).

Subsequently, the Designated Authority under the VSV Act has issued an order dated 03 August 2020 (hereinafter referred to as 'VSV Order), providing details of the disputed tax payable by the Company (copy of the VSV Order is enclosed as Annexure 2).

Based on the VSV Order. the Company is proposing to remit the disputed tax under the VSV Act.

The Company submits that it is a pre-requisite under the VSV Act to withdraw the appeal filed disputing the Final Order of the Assessing Officer and furnish the proof of such withdrawal to the Designated Authority along with the disputed tax payment details! challan.

In view of the same, we would like to withdraw this appeal as the appeal in view of settlement of litigation under the VSV Act. Therefore. the Company prays before your Honours to accept the request for withdrawal of the appeal.

We request your Honours to take the above on record and oblige. Inconvenience caused to you is regretted.”

2. Therefore, as there was a specific request from the assessee to withdraw its appeal, we permit the assessee to 'withdraw' its appeal. The appeal hereby stands dismissed as withdrawn.

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

Order pronounced in Open Court on 12/08/2020.

Sd/-
(MOHAN ALANKAMONY)
ACCOUNTANT MEMBER

Sd/-
(P MADHAVI DEVI)
JUDICIAL MEMBER

Dated: 12th August, 2020.

- *gmw*

Copy of Order forwarded to:

1. M/s Seedworks Singapore Pte Ltd., 9 Raffles Place #27-00 Republic Plaza, Singapore 048619.
2. ADIT, International Taxation – 2, Hyderabad.
3. JCIT (International Taxation), Hyderabad
4. The CIT (International Taxation) Hyderabad.
- 5 D.R. ITAT Hyderabad
6. Guard File