

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT),
"B" BENCH, MUMBAI**

**BEFORE SHRI S.S. GODARA, JUDICIAL MEMBER
&
SHRI M.BALAGANESH, ACCOUNTANT MEMBER
ITA No. 946/Mum/2019
(Assessment Year :2008-09)**

Shri Bharat Jethva 48, Noor Maji Building 2 nd Floor, Room No.65 6 th Kumbharwada T.P.Street Mumbai-400 004	Vs.	ITO-16(3)(4) Aaykar Bhawan M.K.Road Mumbai-400 020
PAN/GIR No.AHIPJ1010G		
(Appellant)	..	(Respondent)

Assessee by	None
Revenue by	Smt. Kavita P. Kaushik, Sr.DR
Date of Hearing	14/10/2020
Date of Pronouncement	14/10/2020

आदेश / O R D E R

PER S.S.GODARA (J.M):

This Assessee's appeal for A.Y.2008-09 arises from Mumbai's order of Commissioner of Income Tax (Appeals)-30, in case No.CIT(A)-30/19(1)(2)/499/2013-14 dated 26/02/2018, in proceedings u/s.271(1)(c) of the Income Tax Act, 1961 [hereinafter referred to as Act].

2. None appears at the assessee's behest. The case is therefore taken for adjudication. We notice during the course of hearing that the assessee's letter dated 03/03/2020 forming part of the case records expressed its intention to apply for settlement benefit under the Direct Tax Vivad se Vishwas Scheme, 2020. We therefore deem

it appropriate to dismiss the instant appeal subject to the condition that in case the assessee fails to avail the settlement benefit under the said scheme, this case shall stand revived after an application coming his side.

3. This assessee's appeal is dismissed in above terms.

Order pronounced in the open court on this 14/10 /2020

Sd/-
(M.BALAGANESH)
ACCOUNTANT MEMBER

Mumbai; Dated 14/10/2020
Thirumalesh, *sr.ps*

Sd/-
(S.S.GODARA)
JUDICIAL MEMBER

Copy of the Order forwarded to :

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

//True Copy//

BY ORDER,

(Asstt. Registrar)
ITAT, Mumbai