

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI "D" BENCH, MUMBAI**

**[Coram: Justice P. P. Bhatt (President)
And Pramod Kumar (Vice President)]**

ITA No. 1249/Mum/2019
Assessment Year: 2015-16

Rajkumar Hirani Films Pvt. Ltd.
361-362, Building No.3,
6th Floor, Solitaire Corporate Park,
Chakala, Andheri (E),
Mumbai-400 093
[PAN: AAFCR 8544 N]

.....Appellant

Vs

Asst. CIT-16(1)
Room No. 439, Aayakar Bhawan,
M. K. Road, Mumbai

.....Respondent

Appearances by

Kapil Hirani *for the appellant*
Bharat Andhale *for the respondent*

Date of concluding the hearing : December 22nd, 2020
Date of pronouncement : December 22nd, 2020

ORDER

Per Bench:

1. By way of this appeal, the assessee appellant has called into question correctness of the order dated 14.01.2019 passed by the learned CIT(A)-4, Mumbai in the matter of assessment u/s.143(3) of the Income Tax Act, 1961, for the assessment year 2015-16.
2. When this appeal was called out for hearing, the Id. Counsel of the assessee submitted that he has filed the necessary declaration under Direct Tax Vivad se Vishwas Act, 2020 (Act 3 of 2020) and is awaiting for final resolution of the matter under the said scheme. In response to the suggestion from the Bench, he fairly accepted that he has no objection to the appeal being dismissed as withdrawn as long as his right for revival of the appeal are

protected, in the event of, for some unforeseen reason, the matter being not settled under the Vivad se Vishwas scheme.

3. The Id. DR also did not object to course so suggested.

4. In view of the above, we dismiss the appeal as withdrawn, subject to be rider that in the unlikely event of matter not being resolved under the Vivad se Vishwas scheme, the assessee shall have liberty to approach the Tribunal for restoration of his appeal.

5. In the result, the appeal is dismissed as withdrawn – subject to the observation above. Pronounced in the open court today on the 22nd December, 2020.

Sd/-
Justice P. P. Bhatt
(President)

Sd/-
Pramod Kumar
(Vice President)

Mumbai, dated the 22nd day of December, 2020

Roshani, Sr. PS

Copies to:

(1)	<i>The Applicant</i>	(2)	<i>The respondent</i>
(3)	<i>CIT</i>	(4)	<i>CIT(A)</i>
(5)	<i>DR</i>	(6)	<i>Guard File</i>

By order

*Assistant Registrar
Income Tax Appellate Tribunal
Mumbai benches, Mumbai*