

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

**BEFORE SHRI M.BALAGANESH, AM**

**&**

**SHRI PAVAN KUMAR GADALE, JM**

**ITA No.5326/Mum/2019  
(Assessment Year :2014-15)**

M/s. Bharat Velours 304, Prabhu Kutir 15, Altamount Road Mumbai- 400 026	Vs.	Commissioner of (Appeals)- 29, Matru Mandir Building Nana Chowk Grand Road West Mumbai -400 007
<b>PAN/GIR No.AAAF9482F</b>		
<b>(Appellant)</b>	..	<b>(Respondent)</b>

Assessee by	None
Revenue by	Oommen Tharian
<b>Date of Hearing</b>	<b>07/01/2021</b>
<b>Date of Pronouncement</b>	<b>07/01/2021</b>

**आदेश / O R D E R**

**PER M. BALAGANESH (A.M):**

This appeal in ITA No.5326/Mum/2019 for A.Y.2014-15 arises out of the order by the Id. Commissioner of Income Tax (Appeals)-29, Mumbai in appeal No.CIT(A)-29/IT-367/19(1)/17-18 dated 25/06/2019 (Id. CIT(A) in short) against the order of assessment passed u/s.143(3) of the Income Tax Act, 1961 (hereinafter referred to as Act) dated

08/11/2016 by the Id. Asst. Commissioner of Income Tax, Circle-19(1), Mumbai (hereinafter referred to as Id. AO).

2. Assessee vide its letter dated 28/12/2020, prayed for withdrawal of appeal in ITA No. 5326/Mum/2019 for A.Y.2014-15. For the sake of convenience, we are reproducing the contents of the said Application as under:-

*“In connection with Captioned appeal we most humbly submit as order:*

- 1) The captioned appeal was filed on 14<sup>th</sup> august 2019 against the CIT (A) order.*
- 2) In order to buy peace we have applied under the direct tax Vivad Se Vishwas Act on disputed additions Act 2020 and agreed to pay the income tax copy of form 1 & 2 is attached here with (Annex. A).*
- 3) The PCIT-19 Mumbai has accepted our application on 22/12/2020 by issuing certificate in form 3 under the direct tax vivad se vishwas Rules. The copy of certificate is attached here with (Annex.B).*
- 4) In terms of said certificate we have also paid the income tax of Rs.3,30,850 and copy to tax paid Challan is attached herewith (Annex.C).*
- 5) As required under the allow us to said act we hereby request your goods service to Withdraw the captioned appeal so that we can submit VSV form No.4 on Income Tax Department portal.*

*We shall remain thankful to you for cooperation in with drawing the captioned appeal.”*

3. Ld. DR has not raised any objection.

4. We have heard the Id. DR and perused the records, especially the Application of assessee for withdrawal of the Appeal. We find considerable cogency in the contentions of Assessee as aforesaid. Keeping in view of the facts and circumstances of the case, we accept the

request of the assessee for withdrawal of the Appeal and accordingly, we dismiss the Appeal as withdrawn.

**5. In the result, the appeal of the Assessee is dismissed as withdrawn.**

Order pronounced in the open Court on 07/01/2021.

**Sd/-**  
**(PAVAN KUMAR GADALE)**  
JUDICIAL MEMBER

Mumbai; Dated 07/01/2021  
KARUNA, *sr.ps*

**Sd/-**  
**(M.BALAGANESH)**  
ACCOUNTANT 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