

**IN THE INCOME TAX APPELLATE TRIBUNAL
“H” BENCH, MUMBAI**

**BEFORE SHRI PAVAN KUMAR GADALE, JUDICIAL MEMBER &
SHRI MANOJ KUMAR AGGARWAL, ACCOUNTANT MEMBER**

**ITA No. 2617/Mum/2019
(Assessment Years: 2014-15)**

Kedar Ramesh Vaze C/o. Kelkar & Co. Ltd, LBS Marg, Mulund (W) Mumbai – 400080.	बनाम/ Vs.	ACIT 29(2) R.No. 202, 2 nd Floor, C-10, Pratyakshakar Bhavan, BKC, Mumbai
स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. : AAAPV9721H		
(अपीलार्थी /Appellant)	..	(प्रत्यर्थी / Respondent)

अपीलार्थी ओर से/ Appellant by :	None
प्रत्यर्थी की ओर से/Respondent by :	Shri Gurbinder Singh, DR

सुनवाई की तारीख / Date of Hearing	31/12/2020
घोषणा की तारीख/Date of Pronouncement	31/12/2020

आदेश / ORDER

PER PAVAN KUMAR GADALE - JM:

The assessee has filed an appeal against the order of Commissioner of Income Tax (Appeals) -40, Mumbai, passed u/s. 143(3) and 250 of the Income Tax Act, 1961.

2. At the time of hearing, We find the assessee has submitted a letter dated 28-12-2020 mentioning that the assessee intended to settle the tax litigation

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by opting for 'Vivad se Vishwas Scheme 2020'(VSVS2020) and enclosed Form-3 and also permission for withdrawal of the Assessee s Appeal. Contra, the Ld. DR has no serious objections.

3. We heard the Ld. DR and perused the material on record. Since the assessee has opted for 'Vivaad se Vishwas Scheme 2020' and obtained Form-3 under VSVS Rules2020. We are of the view that, no purpose will be served in keeping the appeal pending. Accordingly, we dismiss the appeal of the assessee as withdrawn and the assessee is given liberty to move an application u/s 254(2) of the Act to recall the present order in accordance with the provisions of law.

4. In the result, the appeal filed by the assessee is dismissed.

Order pronounced in the open court on 31.12.2020

Sd/-
(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER

Sd/-
(PAVAN KUMAR GADALE)
JUDICIAL MEMBER

Mumbai, Dated 31/12/2020

KRK, PS

आदेश की प्रतिलिपि अद्येषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. संबंधित आयकर आयुक्त / The CIT(A)
4. आयकर आयुक्त(अपील) / Concerned CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, अहमदाबाद / DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

1.

उप/सहायक पंजीकार (Asst. Registrar)
आयकर अपीलीय अधिकरण, अहमदाबाद / ITAT, Mumbai