

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT)  
"SMC-II" BENCH, MUMBAI**

**BEFORE SHRI C.N. PRASAD, HON'BLE JUDICIAL MEMBER AND  
SHRI N.K. PRADHAN, HON'BLE ACCOUNTANT MEMBER**

**ITA NO. 5128/MUM/2018 (A.Y: 2014-15)**

Hashmukh Somchand Haraniya (HUF) B-202, Kalpatru Garden Kamatghar, Behind Oswal Hall Bhiwandi, Thane Mumbai - 421302  <b>PAN: AABHH9013B</b>	v.	Income Tax Officer Ward -1(5) 1 <sup>st</sup> Floor, Mohan Plaza Wayale Nagar Khadakh Pada, Kalyan
<b>(Appellant)</b>		<b>(Respondent)</b>

<b>Assessee by</b>	:	<b>Shri Shailesh Bandi</b>
<b>Department by</b>	:	<b>Ms. Smita Verma</b>
<b>Date of Hearing</b>	:	<b>05.01.2021</b>
<b>Date of Pronouncement</b>	:	<b>05.01.2021</b>

**ORDER**

**PER C.N. PRASAD (JM)**

1. This appeal is filed by the assessee against order of the Learned Commissioner of Income Tax (Appeals)-2, Thane [hereinafter in short "Ld.CIT(A)"] dated 24.07.2018 for the A.Y. 2014-15.

2. Assessee through its Authorized Representative filed a letter dated 04.01.2021 and submitted as under: -

*"With reference to the above and Under Instructions of our client, we beg to state and submit that we been instructed to represent the captioned appeal, marked for hearing on 5<sup>th</sup> January 2021 and in continuation to our letter 2<sup>nd</sup> January 2021 mailed on even date, we would like to bring to your Honours Kind attention that the Appellant's application in of VSVS has been accepted and Department has issued Form 3 (Copy Enclosed herewith).*

*We therefore have to request to your honours the appellant would like to withdraw the Captioned appeal.*

*We request your Honours to kindly pass an appropriate order for the withdrawl of appeal."*

- 3.** On a perusal of the above letter of the assessee and the enclosed copy of Form-3 it is noticed that assessee has already filed declaration and undertaking in Form-1 under Vivad Se Vishwas Scheme and received Form-3 from the Revenue accepting the said declaration. Assessee requested for withdrawal of the appeal. Accepting the request of the assessee for withdrawal of appeal, the appeal is dismissed as withdrawn.
- 4.** In the result, appeal of the assessee is dismissed as withdrawn.

Order pronounced in the virtual court on 05.01.2021.

Sd/-  
**(N.K. PRADHAN)**  
**ACCOUNTANT MEMBER**  
Mumbai / Dated 05/01/2021  
Giridhar, Sr.PS

Sd/-  
**(C.N. PRASAD)**  
**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, Mum**