

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCHES "B", MUMBAI**

BEFORE SHRI SHAMIM YAHYA (AM) AND SHRI RAM LAL NEGI (JM)

**ITA No. 1124/MUM/2019
Assessment Year: 2014-15**

Neerja Arvind Parikh, 333, Tanhee Heights, Petit Hall 66-D, Neapen Sea Road, Mumbai - 400006 PAN: ABHPP4063E	Vs.	The Dy. Commissioner of Income Tax, Central Circle - 3(3)(2),
(Appellant)		(Respondent)

Assessee by : Shri Kunal Pandey (AR)

Revenue by : Shri Sunil S. Deshpande (DR)

Date of Hearing: 31/12/2020
Date of Pronouncement: 31/12/2020

ORDER

PER RAM LAL NEGI, JM

The Appellant/assessee has filed the present appeal against the order dated 29.01.2019 passed by the Commissioner of Income Tax (Appeals)-8 (for short 'the CIT(A), Mumbai, for the assessment year 2014-15, whereby the Ld. CIT(A) has partly allowed the appeal filed by the assessee against the assessment order passed u/s 143 (3) of the Income Tax Act, 1961 (for short the 'Act').

2. The assessee has challenged the impugned order passed by the Ld. CIT (A) on the following effective ground:-

"On the facts and circumstances of the case and in the law, the Hon'ble CIT (A) erred in confirming the disallowance of bad debts of Rs. 2,33,64,533. The appellant prays that the disallowance may please be held as bad in law and be deleted."

3. At the outset, the Ld. counsel for the appellant/assessee submitted that assessee has opted to settle the dispute under Vivad se Vishwas Act, 2020, therefore, the assessee may be allowed to withdraw the present appeal. The Ld. counsel further invited our attention to the application dated 23.12.2020 moved on behalf of the assessee.

4. The Ld. departmental representative did not oppose the aforesaid submissions made by the Ld. counsel.

5. We have perused the material on record. The assessee has filed an application for withdrawal of the present appeal. The relevant portion of the application reads as under:

“Under the instructions from the above-mentioned appellant, we submit as under

In respect of the captioned appeal, the appellant opted for VSV scheme and duly filed application on 02.12.2020 (Form 1 & Form 2) for the adoption of the “Vivad-Se-Vishwas Scheme, 2020 announced in the Union Budget,2020.

Annexure-1.

Therefore, we humbly request your Honors to kindly allow the appellant to withdraw the appeal number ITA No.1124/Mum/2019 from the Honorable Tribunal.”

6. In view of the submissions made by the Ld. counsel, we allow the application for withdrawal of appeal dated Dec.23, 2020, filed on behalf of the assessee and dismiss the present appeal as withdrawn.

In the result, appeal filed by the assessee for assessment year 2014-2015 is dismissed.

Order pronounced on 31st December, 2020 under rule 34 (4) of the Income Tax Appellate Tribunal Rules, 1963.

Sd/-

(SHAMIM YAHYA)

ACCOUNTANT MEMBER

Sd/-

(RAM LAL NEGI)

JUDICIAL MEMBER

मुंबई Mumbai; दिनांक Dated: 31/12/2020

Alindra, PS

आदेश प्रतिलिपि अग्रेषित/ Copy of the Order forwarded to :

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

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार (Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / **ITAT, Mumbai**