

आयकर अपीलीय अधिकरण
मुंबई पीठ "एस एम सी"
IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "SMC", MUMBAI
श्री विकास अवस्थी, न्यायिक सदस्य के समक्ष
BEFORE SHRI VIKAS AWASTHY, JUDICIAL MEMBER
आअसं. 5834/मुं/2018 (नि.व.2007-08)
ITA NO. 5834/MUM/2018 (A.Y.2007-08)

Apex Apparels Pvt.Ltd.,
211,Meghdoot Apartment,
Katemanivali, Kalyan - 421 306
PAN: AABCA6231H

: अपीलार्थी/ Appellant

बनाम/ Vs.

ITO Ward (1),
Mohan Plaza, Khadakpada,
Near Poddar School, Vaile Nagar,
Kalyan, Thane – 421 301

: प्रत्यर्थी/ Respondent

Assessee by : Shri Vimal Punmiya
Revenue by : Shri Sushil Mishra

सुनवाई की तारीख/
Date of Hearing : 30/12/2020
घोषणा की तारीख /
Date of Pronouncement : 30/12/2020

आदेश/ ORDER

This appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-2, Pune (in short 'the CIT(A)') dated 04/06/2018 for the assessment year 2007-08.

2. Shri Vimal Punmiya, appearing on behalf of the assessee stated that the assessee is opting for 'Viwad Se Vishwas Scheme, 2020'(in short 'VSVS')

therefore, the assessee wishes to withdraw the appeal at this stage. The liberty may be provided to the assessee to revive the appeal in case the application filed by the assessee under 'VSVS' is not accepted.

3. Shri Sushil Mishra, representing the Department stated that the Department has no objection if the assessee wants to withdraw appeal to avail the benefit of 'VSVS'.

4. In view of the above submission made on behalf of the assessee, the assessee is allowed to withdraw appeal. The appeal of assessee is dismissed as withdrawn.

5. Liberty is granted to the assessee to revive appeal in the event application filed by the assessee under VSVS fails to mature. It is further made clear that if the assessee /appellant seeks to restore the appeal in the event assessee's declaration made under VSVS is not accepted, the Registry shall not insist for filing of application for condonation of delay, if the Miscellaneous Application for recalling the order is filed beyond time on account of delay in communication of outcome under VSVS. [Re. M/s. Nannusamy Mohan(HUF) vs. ACIT in T.C.A No.372 of 2020 decided on 16/10/2020 by Hon'ble Madras High Court]

6. The appeal is dismissed as withdrawn with the liberty aforesaid.

Order pronounced in the open court on Wednesday the 30th day of December, 2020.

Sd/-

(VIKAS AWASTHY)

न्यायिक सदस्य/JUDICIAL MEMBER

मुंबई/ Mumbai, दिनांक/Dated: 30/12/2020
Vm, Sr. PS(O/S)

प्रतिलिपि अग्रेषितCopy of the Order forwarded to :

1. अपीलार्थी/The Appellant ,
2. प्रतिवादी/ The Respondent.
3. आयकर आयुक्त(अ)/ The CIT(A)-
4. आयकर आयुक्त CIT
5. विभागीय प्रतिनिधि, आय.अपी.अधि., मुंबई/DR, ITAT,
Mumbai
6. गार्ड फाइल/Guard file.

//True Copy//

BY ORDER,

(Dy./Asstt. Registrar)
ITAT, Mumbai