

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. 2471/मुं/2019 (नि.व.2015-16)
ITA NO. 2471/MUM/2019 (A.Y.2015-16)

Rachana Narendra Sanghai,
D/1310, Upwan Tower,
Upper Govind Nagar, Malad(West),
Mumbai 400 097
PAN:AANPS8206K

: अपीलार्थी/ **Appellant**

बनाम/ Vs.

ITO 18(3)(1),
Room No.608, 6th Floor, Earnest House,
Nariman Point, Mumbai 400 020.

: प्रत्यर्थी/ Respondent

Assessee by : None (Opted forVSVS)
Revenue by : Shri Sushil Kumar Mishra
सुनवाई की तारीख/
Date of Hearing : 31/12/2020
घोषणा की तारीख /
Date of Pronouncement : 05/01/2021

आदेश/ ORDER

This appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-29, Mumbai (in short 'the CIT(A)') dated 31/01/2019 for the assessment year 2015-16.

2. A request letter dated 22/12/2020 has been received from the assessee stating that the assessee has opted for 'Viwad Se Vishwas Scheme, 2020'(in short 'VSVS') and hence, wants to withdraw the appeal. The relevant extract of the aforesaid letter is reproduced herein below:

“ Hon’ble Sir,

Re: PAN-AANPS 8206K

Assessment year : 2015-16.

Sub: Intimation of filing Application for Direct Tax Vivad Se Vishwas Act, 2020

ITA – 2471/M/2019

With reference to the above, I have to request your honour as under for your kind and sympathetic consideration.

- 1. I had preferred an appeal against the order of Commissioner of Income Tax (Appeals)-29, Mumbai on 22 April, 2019(copy enclosed).*
- 2. My appeal remains undisposed on 31 January 2020. As my appeal is pending I have preferred to avail the scheme of Direct Tax Vivad Se Vishwas Act, 2020 to buy peace of mind and avoid prolonged litigation.*
- 3. As I have received certificate in Form3 under Direct Tax Vivad Se Vishwas Act, 2020 from the designated authority(copy enclosed, I request you to kinly treat my appeal filed with you as withdrawn.*

Thanking you,

Yours faithfully

Sd/- Rachana Sanghai

Appellant.”

3. Shri Sushil Kumatr Mishra, representing the Department stated that the Department has no objection if the assessee wants to withdraw the appeals to avail the benefit of ‘VSVS’.

4. A perusal of above letter shows that the assessee’s application under VSVS has been accepted and the Department has issued Form-3. In view of the above, the appeal of assessee is dismissed as withdrawn.

5. The appeal of assessee is dismissed as withdrawn.

Order pronounced in the open Court on Tuesday, the 05th day of January, 2021.

Sd/-

(VIKAS AWASTHY)

न्यायिक सदस्य/JUDICIAL MEMBER

मुंबई/ Mumbai, दिनांक/Dated: 05/01/2021

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