

**NIN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "K" MUMBAI**

**BEFORE SHRI S.RIFAUH RAHMAN (ACCOUNTANT MEMBER) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No. 4959/MUM/2017
(Assessment Year: 2011-12)**

Baker Hughes Oilfield Services
India Pvt. Ltd.
Unit No. 203, 2nd Floor,
Reliable Tech Park, Survey No. 31,
Mauje Mouaheeltan, Airoli,
Navi Mumbai – 400 708.

Vs. Asst. Commissioner of Income-
tax-9(2)(1), Room No. 204,
Aaykar Bhavan, 2nd Floor, M.K
Road, Mumbai – 400 020.

PAN No. AADCB1622K

(Assessee)

(Revenue)

Assessee by : Shri Neeraj Aggarwal, A.R
Revenue by : Shri. Sushil Kumar Mishra, D.R

Date of Hearing : 07/01/2021
Date of pronouncement : 07/01/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-55, Mumbai dated 28.02.2017, which in turn arises from the assessment order passed u/s 143(3) r.w.s 144C(3)(b) of the Income-tax Act, 1961 for the assessment year 2011-12.

2. When this appeal was called for hearing, the Id. Authorised representative (for short "A.R") for the assessee submitted that the assessee had filed the necessary declaration under the Direct Tax Vivad se Vishwas Act, 2020 (Act 3 of 2020) and is awaiting for a final resolution of the matter under the said scheme. It was submitted by the Id. A.R that upon completion of the necessary formalities the assessee will withdraw the appeal. In response to a suggestion from the bench, he fairly accepted that he has no objection to the appeal being dismissed as withdrawn as long as his right for revival of the appeal are protected, in the event, if for some unforeseen reason the matter is not settled under the Vivad e Vishwas scheme.

3. The Id. D.R also did not object to the course so suggested.

4. In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach the Tribunal for restoration of his appeal.

5. Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in the open court on 07/01/2021.

Sd/-
(S. Rifaur Rahman)
ACCOUNTANT MEMBER

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 07.01.2021

Rohit, P.S.

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent.
3. The CIT(A)-
4. CIT
5. DR, ITAT, Mumbai
6. Guard file.

BY ORDER,
//True Copy//
(Sr. Private Secretary)
ITAT, Mumbai