

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT),
' H' BENCH MUMBAI**

BEFORE SHRI M.BALAGANESH, AM

&

SHRI PAVAN KUMAR GADALE, JM

**ITA Nos. 1369/Mum/2018 & 236/Mum/2020
(Assessment Year :2014-15)**

**ITA Nos. 1344/Mum/2018 & 235/Mum/2020
(Assessment Year :2013-14)**

&

**ITA No. 6304/Mum/2018
(Assessment Year :2015-16)**

M/s. KSL and Industries Ltd. 11/12, Raghuvanshi Mill Compound, Lower Parel Mumbai-400 013	Vs.	DCIT, Central Circle-5(3) Air India Building, 19 th Floor, Room No.1906 Nariman Point Mumbai-400 021
PAN/GIR No. AAACK4722E		
(Appellant)	..	(Respondent)

**ITA No.1259/Mum/2018
(Assessment Year :2014-15)**

&

**ITA No.1257/Mum/2018
(Assessment Year :2013-14)**

DCIT, Central Circle- 5(3) Air India Building, 19 th Floor, Room No.1906 Nariman Point Mumbai-400 021	Vs.	M/s. KSL and Industries Ltd. 11/12, Raghuvanshi Mill Compound, Lower Parel Mumbai-400 013
PAN/GIR No. AAACK4722E		
(Appellant)	..	(Respondent)

Assessee by	None
Revenue by	Shri Sunil Kumar Jha, CIT-DR
Date of Hearing	12/01/2021
Date of Pronouncement	12/01/2021

आदेश / O R D E R

PER BENCH :

ITA No. 1369/Mum/2018(Assessment Year :2014-15)
ITA No. 1344/Mum/2018(Assessment Year :2013-14)
ITA No. 6304/Mum/2018 (Assessment Year :2015-16)
ITA No.1259/Mum/2018 (Assessment Year :2014-15)
ITA No.1257/Mum/2018 (Assessment Year :2013-14)

These all appeals arise out of the order by the Id. Commissioner of Income Tax (Appeals)-53, Mumbai dated 15/12/2017 (Id. CIT(A) in short) against the order of assessment passed u/s.143(3) of the Income Tax Act, 1961 (hereinafter referred to as Act) dated 23/03/2016, 26/12/2017 & 29/12/2016 respectively by the Id. Deputy Commissioner of Income, Central Circle-5(3) (hereinafter referred to as Id. AO).

ITA No.235/Mum/2020(A.Y.2013-14)
ITA No.236/Mum/2020 (A.Y.2014-15)

These appeals in ITA Nos. 235/Mum/2020 & 236/Mum/2020 for A.Y.2013-14 & 2014-15 arise out of the order by the Id. Commissioner of Income Tax (Appeals)-53, Mumbai in appeal dated 25/10/2019 (Id. CIT(A) in short) in the matter of imposition of penalty u/s.271(1)(c) of the Income Tax Act, 1961.

2. We find that the Id. AR filed letters dated 28/10/2020 & 23/11/2020 mentioning that assessee had preferred applications under direct tax "Vivad Se Viswas Scheme 2020" to settle these tax disputes for the years under consideration and had obtained Form-3 from the designated authority thereon, copies of which was enclosed alongwith this letter.

3. In view of this, we hereby treat the appeals pending before us as dismissed and withdrawn with a liberty given to the assessee to get the appeals restored in the event that assessee's declaration made under "Vivad Se Viswas Scheme 2020" is declared bad in law in future for any reason whatsoever.

4. In the result, appeals of the assessee and revenue are dismissed.

Order pronounced in the open Court on 12/01/2021

Sd/-

(M.BALAGANESH)
ACCOUNTANT MEMBER

Sd/-

(PAVAN KUMAR GADALE)
JUDICIAL MEMBER

Mumbai; Dated 12/01/2021

KARUNA, *sr.ps*

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, Mumbai