

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "A" MUMBAI**

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

**ITA No. 3053/MUM/2014
(Assessment Year: 2007-08)**

The ITO-20(1)-4
Room No. 608, 6th Floor,
Piramal Chambers, Lalbaug,
Mumbai – 12

M/s A.R. Developers
Vs. 108, Sunshine "B"
Lokhandwala Complex,
Andheri (W),
Mumbai – 400053

PAN No. AAOFA5716H

(Assessee)

(Revenue)

Assessee by : Shri Brajendra Kumar, D.R
Revenue by : Shri Neeraj Mangla, A.R

Date of Hearing : 20/01/2021
Date of pronouncement : 20/01/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-31, Mumbai dated 17.02.2014, which in turn arises from the penalty order passed u/s 271(1)(c) of the Income-tax Act, 1961, dated 26.03.2012 for assessment year 2007-08.

2. The Id. Authorised representative (for short "A.R") for the assessee had filed a letter on 19/20.01.2021 wherein it is stated that the assessee had filed the necessary declaration under the Direct Tax Vivad se Vishwas Act, 2020 (3 of 2020). In the backdrop of the aforesaid fact, it is requested by the Id. A.R that the department be directed to withdraw its appeal. Our attention was drawn by the Ld. A.R towards the copy of 'Form 1' evidencing filing of the declaration under the aforesaid scheme.

3. The Id. D.R did not raise any objection.

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 In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme for any reason, the revenue shall have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

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 Resultantly, the appeal filed by the revenue is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in the open court on 20/01/2021.

Sd/-
(S. Rifaur Rahman)
ACCOUNTANT MEMBER

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 20.01.2021

PS: Rohit

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