

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT)
"SMC" BENCH, MUMBAI**

BEFORE SHRI C.N. PRASAD, HON'BLE JUDICIAL MEMBER

ITA NO. 937/MUM/2020 (A.Y:2016-17)

Shri Om Singh 1091/10, Ramgopal Colony Delhi Road, Near TVS Motor Showroom Rohtak, Haryana-124001 PAN: AJIPS4303H	v.	The DCIT – 6(4) Air India Building Nariman Point Mumbai – 400021
(Appellant)		(Respondent)

Assessee by	:	None
Department by	:	Shri Sanjay J. Sethi
Date of Hearing	:	21.01.2021
Date of Pronouncement	:	21.01.2021

ORDER

PER C.N. PRASAD (JM)

1. This appeal is filed by the assessee against order of the Learned Commissioner of Income Tax (Appeals)–54, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 29.11.2019 for the A.Y. 2016-17.

2. Assessee through its Authorized Representative filed a letter dated 13th January, 2021 and submitted as under: -

"Sub: Application for withdrawal Appeal filed on February 05, 2020 in case of Om Singh having PAN: AJIPS4303H for AY 2016-17 (Appeal reference No. ITA 937/MUM/2020)

This has reference to the appeal filed on 05.02.2020 (Appeal reference No. ITA 937/MUM/2020), in case of Om Singh against the order passed by Hon'ble Commissioner of Income Tax (Appeals)-54 in appeal No, CIT(A)-54/IT-10351/DC.CC-6(4)/2018-19 for AY 2016-17 (copy enclosed).

In this regard, it is respectfully submitted that I have opted for Direct Tax Vivad Se Vishwas Scheme and filed declaration in Form 1 & 2, as envisaged in section 4 of Direct Tax Vivad se Vishwas Act, 2020, on 09.11,2020, The said declaration has been duly accepted by the designated authority viz Pr. Commissioner of income Tax-Central 3, Mumbai vide Form 3 dated 23.11.2020 (copy enclosed).

In view of the above, I hereby wish to withdraw the subject appeal and do not want to proceed further in the appeal matter.

Hope, my request shall be acceded to."

3. On a perusal of the above letter of the assessee and the enclosed copies of Form-3 it is noticed that assessee has already filed declaration and undertaking in Form-1 under Vivad Se Vishwas Scheme and received Form-3 from the Revenue accepting the said declaration. Assessee requested for withdrawal of the appeal. Accepting the request of the assessee for withdrawal of appeal, this appeal is dismissed as withdrawn.

4. In the result, appeal of the assessee is dismissed as withdrawn.

Order pronounced in virtual court on 21.01.2021.

Sd/-
(C.N. PRASAD)
JUDICIAL MEMBER

Mumbai / Dated 21/01/2021
Giridhar, 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, Mum