

**IN THE INCOME TAX APPELLATE TRIBUNAL
"G" BENCH, MUMBAI**

BEFORE SHRI PRAMOD KUMAR (VICE PRESIDENT)

AND

SHRI SAKTIJIT DEY (JUDICIAL MEMBER)

I.T.A. No.810/Mum/2019
(Assessment Year : 2015-16)

Sonal Ravindra Shah 74/83, Dwarkadas Bldg No.1 Mangaldas Road Mumbai-400 052 PAN : AACPS8195E	vs	ACIT, Cir.18(3), Mumbai
APPELLANT		RESPONDENT

Appellant by	Shri Hiral Shah
Respondent by	Shri T.S. Khalsa Sr DR

Date of hearing	21-01-2021
Date of Pronouncement	21 /01/2021

ORDER

Per Bench

This is an appeal by the assessee against order dated 18-12-2018 of learned Commissioner of Income Tax (Appeals)-29, Mumbai for the assessment year 2015-16.

2. The learned Counsel for the assessee submitted, the assessee has already filed an application under the Direct Tax Vivadh se Vishwas Act, 2020 and is awaiting form No.3 from the designated authority. A letter dated 18-01-2021 stating the aforesaid facts has also been filed before us. On a suggestion from the bench, the learned Counsel for the assessee fairly accepted to withdraw the appeal as long as the right of the assessee for revival of the appeal is

protected. The learned Departmental Representative did not object to the aforesaid submission of the assessee.

3. Having considered rival submissions and the fact that the assessee has applied for settling the dispute arising in the present appeal under the Direct Tax Vivadh se Vishwas Act, 2020, we are inclined to dismiss this appeal as withdrawn. However, in the unlikely event of assessee's application under the Direct Tax Vivadh se Vishwas Act, 2020 being not accepted by the designated authority, liberty is granted to the assessee to seek recall of this order and restoration of this appeal.

3. In the result, appeal is dismissed with the aforementioned liberty.

Order pronounced in the Open Court on this 21/01/2021.

Sd/-

sd/-

(PRAMOD KUMAR)	(SAKTIJIT DEY)
VICE PRESIDENT	JUDICIAL MEMBER

Mumbai, Dated : 21/ 01/2021.

Pavanan, Sr.P.S (on contract)

Copy of the order forwarded to :

1. The Appellant.
2. The Responent.
3. The CIT(A)
4. 4. The CIT
5. D.R., ITAT, Mumbai.
6. Guard File.

//True Copy//

By order

I.T.A.T., Mumbai.