

IN THE INCOME TAX APPELLATE TRIBUNAL "A", BENCH MUMBAI
BEFORE SHRI RAJESH KUMAR, ACCOUNTANT MEMBER
&
SHRI AMARJIT SINGH, JUDICIAL MEMBER

ITA No.1710 & 1711/Mum/2018
(Assessment Years: 2009-10 & 2010-11)

DCIT, CC-6(1) Room No.1905, 19 th Floor Air India Building, Nariman Point Mumbai-400 021	Vs.	M/s. Ashar Realtors Ground Floor, Ashar IT Park, Road No.16Z, Wagle Industrial Estate Thane(West)-400 064
		PAN/GIR No.AAHFA1708J
(Appellant)	..	(Respondent)

&

ITA No.1719 & 1721/Mum/2018
(Assessment Years: 2008-09 & 2010-11)

DCIT, CC-6(1) Room No.1905, 19 th Floor Air India Building, Nariman Point Mumbai-400 021	Vs.	M/s. Ashar Realty Pvt.Ltd. Ground Floor, Ashar IT Park, Road No.16Z, Wagle Industrial Estate Thane(West)-400 064
		PAN/GIR No.AAGCA1336C
(Appellant)	..	(Respondent)

Assessee by	Shri Rahul Hakani, AR
Revenue by	Shri Rajeev Harit, DR
Date of Hearing	22/12/2020
Date of Pronouncement	23/12/2020

आदेश / O R D E R

PER RAJESH KUMAR, Accountant Member:

These four appeals filed by the revenue are directed against common order of the Ld. Commissioner of Income Tax (Appeals)-54, Mumbai, dated 18/12/2017 for the Asst. Years 2008-09,2009-10

& 2010-11. Since, facts are identical and issues are common, for the sake of convenience, these appeals were heard together and are disposed-off by this consolidated order.

2. At the outset, the Ld. Counsel of the assessee submitted that the assessee has gone into for Vivad Se Viswas Scheme 2020, therefore, the case may kindly be adjourned.

3. Since the assessee has gone into for Vivad Se Vishvas Scheme 2020, the adjournment application by the assessee is rejected. We are inclined to dismiss the appeals of the Revenue in view of the decision of the Hon'ble Madras High Court Nannusamy Mohan (HUF) vs. ACIT TCA No.372 of 2020 with the liberty to Revenue to get these appeals recalled in case assessee does not succeed in VSVS 2020. Accordingly, the appeals of the Revenue are dismissed.

Order pronounced in the open court on this 23/12/2020

Sd/-
(AMARJIT SINGH)
JUDICIAL MEMBER

Sd/-
(RAJESH KUMAR)
ACCOUNTANT MEMBER

Mumbai; Dated: 23/12/2020

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.

BY ORDER,

सत्यापित प्रति //True Copy//

(Asstt. Registrar)
ITAT, Mumbai