

**THE INCOME TAX APPELLATE TRIBUNAL
"SMC" BENCH, MUMBAI**

BEFORE SHRI SAKTIJIT DEY (JUDICIAL MEMBER)

I.T.A. No.4891/Mum/2019
(Assessment year : 2011-12)

Shri Ashokkumar M Vanigota 74, Sardar House, Ground Floor 6 th Khetwadi Back Road Mumabai-400 004 PAN : AAAPV6783F	vs	Income-tax Officer-91 (1)(2), Mumbai
(APPELLANT)		(RESPONDENT)

Appellant by	None
Respondent by	Smt. Smita Verma (DR)

Date of hearing	02 -02-2021
Date of Pronouncement	02/02/2021

ORDER

Per Saktijit Dey, JM

This is an appeal by the assessee against the order dated 10-06-2019 of learned Commissioner of Income Tax (Appeals)-2, Mumbai for the assessment year 2011-12.

2. When the appeal was called for hearing, no one was present on behalf of the assessee. However, the assessee, filed a letter dated 01-02-2021 stating that he has filed declaration under the Direct Tax Vivad se Vishwas Act, 2020 for

settling the dispute arising in this appeal. Further, he has stated that the designated authority has not yet issued form No.3.

3. I have heard the learned Departmental Representative and perused materials on record. Considering the fact that the assessee has already filed declaration under the Direct Tax Vivad se Vishwas Act, 2020 for settling the dispute arising in this appeal, I am inclined to dismiss the appeal as withdrawn. However, in the unlikely event of assessee's declaration not being accepted by the department, liberty is granted to the assessee to seek recall of this order and restoration of the appeal.

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

Order pronounced in the Open Court on this 02 /02/2021.

Sd/-

(SAKTIJIT DEY)
JUDICIAL MEMBER

Mumbai, Dated : 02/ 02/2021.
Pavanan, Sr.P.S (on contract)