

**आयकर अपीलीय अधिकरण "जी" न्यायपीठ मुंबई में।**  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**"G" BENCH, MUMBAI**

**माननीय श्री शक्तिजी दे, न्यायिक सदस्य एवं**  
**माननीय श्री मनोज कुमार अग्रवाल, लेखा सदस्य के समक्ष।**  
**BEFORE HON'BLE SHRI SAKTIJIT DEY, JM AND**  
**HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM**  
**(Hearing Through Video Conferencing Mode)**

आयकर अपील सं./ I.T.A. No.4578/Mum/2018  
(निर्धारण वर्ष / Assessment Year: 2010-11)

<b>Shri Gautam K. Doshi</b> 313, Creative Industrial Centre N.M. Joshi Marg, Lower Parel East Mumbai-400 011.	<b>बनाम/ Vs.</b>	<b>ACIT-15(2)</b> Matru Mandir Tardeo Road Mumbai-400 007.
<b>PAN/GIR No. AFOPD-1328-M</b>		
(अपीलार्थी/ <b>Appellant</b> )	:	(प्रत्यर्थी / <b>Respondent</b> )

<b>Assessee by</b>	:	Shri Anuj Kisnadwala-Ld. AR
<b>Revenue by</b>	:	Shri T.S. Khalsa -Ld.DR
सुनवाई की तारीख/ <b>Date of Hearing</b>	:	28/01/2021
घोषणा की तारीख / <b>Date of Pronouncement</b>	:	01/02/2021

**आदेश / O R D E R**

**Manoj Kumar Aggarwal (Accountant Member)**

1. Aforesaid appeal by assessee for Assessment Year 2010-11 contests the order of learned first appellate authority on certain grounds of appeal. The assessment was framed by Ld. Assessing Officer u/s 143(3) on 31/12/2012.
2. The Ld. Counsel for assessee, at the outset, submitted that the assessee has already opted for settlement of dispute under Direct Tax *Vivad Se Vishwas Scheme (VVS Scheme), 2020* and filed requisite

declarations therein. The Ld. AR also submitted that the appeal may be dismissed as withdrawn but with a liberty to assessee to seek restoration in case the aforesaid declaration is not accepted. The Ld. DR did not object to the same.

3. In view of foregoing, the appeal stands dismissed as withdrawn with a liberty to assessee to seek restoration of this appeal in case the aforesaid declaration filed under the scheme is not accepted, for whatever reasons.

4. The appeal stands dismissed as withdrawn.

*Order pronounced on 01<sup>st</sup> February, 2021.*

**Sd/-**

**(Saktijit Dey)**

न्यायिक सदस्य / **Judicial Member**

**Sd/-**

**(Manoj Kumar Aggarwal)**

लेखा सदस्य / **Accountant Member**

मुंबई Mumbai; दिनांक Dated : 01/02/2021

Sr.PS:-Jaisy Varghese

**आदेश की प्रतिलिपि □ ग्रेषित/Copy of the Order forwarded to :**

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकर आयुक्त(अपील) / The CIT(A)
4. आयकर आयुक्त/ CIT– concerned
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई/ DR, ITAT, Mumbai
6. गार्डफाईल / Guard File

**आदेशानुसार/ BY ORDER,**

**उप/सहायक पंजीकार (Dy./Asstt.Registrar)  
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai.**