

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "K" MUMBAI**

**BEFORE SHRI S. RIFAUH RAHMAN (ACCOUNTANT MEMBER) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No. 7405/MUM/2018
(Assessment Year: 2014-15)**

Johnson Controls (India) Private
Limited; B-401/501, Business
Square, Opposite Apple Heritage,
Chakala, Andheri (East),
Mumbai – 400 093.

Vs. Deputy Commissioner of Income-
tax – 10(2)(1), Room No. 209,
Aaykar Bhawan, M.K Road,
Mumbai – 400 020.

PAN No. AAACJ3132B

(Assessee)

(Revenue)

Assessee by : Shri Mihir Chitalia, A.R
Revenue by : Shri Sushil Kumar Mishra, D.R

Date of Hearing : 09/02/2021
Date of pronouncement : 09/02/2021

ORDER

PER RAVISH SOOD, J.M :

The present appeal filed by the assessee is directed against the order passed by the Assessing Officer u/s 143(3) r.w.s 144C(3) of the Income-tax Act, 1961, dated 30.10.2018 for assessment year 2014-15.

2. The Id. Authorised representative (for short "A.R") for the assessee has e-filed a letter on 08th February, 2021, wherein its is stated that the assessee had filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal. Our attention was drawn by the Id. A.R towards the "Form No. 1" that was enclosed with the aforesaid letter. It was submitted by the Id. A.R that the assessee was awaiting the final resolution of the matter under the said scheme, pursuant whereto the captioned appeal would be withdrawn.

3. The Id. D.R did not controvert the aforesaid factual position as was canvassed before us.

4. In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach the Tribunal for restoration of its appeal.

5. Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in the open court on 09/02/2021.

Sd/-
(S. Rifaur Rahman)
ACCOUNTANT MEMBER

Mumbai;

Dated: 09.02.2021

PS: Rohit

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent.
3. The CIT(A)-
4. CIT
5. DR, ITAT, Mumbai
6. Guard file.

BY ORDER,
//True Copy//
(Sr. Private Secretary)
ITAT, Mumbai