

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

**BEFORE SHRI MANOJ KUMAR AGGARWAL (ACCOUNTANT MEMBER) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No.970 /MUM/2019
(Assessment Year: 2011-12)**

M/s Supermax International
Pvt. Ltd., 4th Floor,
Malhotra House, Opp. GPO, Fort,
Mumbai -400001

Vs. ACIT, Central Circle-38
(Now DCIT, Central Circle-6(3),
19th Floor, Air India Building,
Nariman Point,
Mumbai – 400 021

PAN No. AAACS8024R

(Assessee)

(Revenue)

Assessee by : Shri Prateek Jha, A.R
Revenue by : Shri T.S. Khalsa, D.R

Date of Hearing : 11/02/2021
Date of pronouncement : 11/02/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-54, Mumbai, which in turn arises from the assessment order passed by the A.O under Sec. 143(3) of the Income-tax Act, 1961, dated 28.03.2014 for assessment year 2011-12.

2. The Id. Authorised representative (for short "A.R") for the assessee at the very outset of the hearing of the appeal submitted that the assessee appellant had filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal. In support of his aforesaid claim it was submitted by the Id. A.R that the assessee had submitted Form No. 1 and 2 under the Vivad se Vishwas Scheme, 2020 on 02.02.2021. It was, thus, submitted by the Id. A.R. that in the backdrop of the aforesaid facts the captioned appeal may allowed to be withdrawn.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 In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach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 Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.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 11/02/2021.

Sd/-
(Manoj Kumar Aggarwal)
ACCOUNTANT MEMBER

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 11.02.2021

PS: Rohit

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