

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

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

**ITA No. 3166/MUM/2017  
(Assessment Year: 2006-07)**

M/s Akbar Abdeali Mun.  
Trescho Incorporation, 2 & 3,  
2/3 Saraf Kaskar Indl Estate,  
S.V. Road Jogeshwari-West  
Mumbai 400102

DCIT-24(1)  
Vs. A-1 Monarch Castle CHS Ld,  
Hanuman Rd Data Wadi,  
Vile Parle East,  
Mumbai - 400057

**PAN No. AABPM3580C**

**(Assessee)**

**(Revenue)**

Assessee by : Withdrawal request letter dated 11.02.2021  
Revenue by : Shri Brajendra Kumar, D.R

Date of Hearing : 15/02/2021  
Date of pronouncement : 15/02/2021

**ORDER**

**PER RAVISH SOOD, J.M:**

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-42, Mumbai, which in turn arises from the assessment order passed by the A.O under Sec. 143(3) r.w.s 147 of the Income-tax Act, 1961, dated 24.03.2014 for assessment year 2006-07.

2. The assessee has filed a letter dated 11<sup>th</sup> February, 2021, wherein it is stated that it has filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in Form 1 & Form 2 in order to settle the aforesaid matter pending before the Tribunal and is awaiting for the issuance of Form 3 by the designated authority. In support of its aforesaid claim the assessee had enclosed alongwith its letter copies of Form 1 & Form 2.

3. The Id. D.R did not controvert the aforesaid factual position as was stated 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 In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach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 Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.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 15/02/2021.

Sd/-  
(Manoj Kumar Aggarwal)  
ACCOUNTANT MEMBER

Sd/-  
(Ravish Sood)  
JUDICIAL MEMBER

Mumbai;

Dated: 15.02.2021

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**