

**IN THE INCOME TAX APPELLATE TRIBUNAL  
MUMBAI BENCHES "SMC", MUMBAI**

**BEFORE SHRI SAKTIJIT DEY (JM) & SHRI N. K. PRADHAN (AM)**

**ITA No. 2342/MUM/2019  
Assessment Year: 2012-13**

Nishta Mall Management Co. Pvt. Ltd. Knowledge House Shyan Nagar Off Jogeshwari Vikhroli Link Road, Jogeshwari East, Mumbai- 400060. PAN: AAECM0705H	<b>Vs.</b>	ITO, Ward-10(3)(1) (Now DCIT Range 10(3)(1) Aayakar Bhavan, M. K. Road, Mumbai-400020.
<b>(Appellant)</b>		<b>(Respondent)</b>

Assessee by : Shri Dinkle Hariya (AR)

Revenue by : Ms. Smita Verma (DR)

Date of Hearing : 15/02/2021

Date of Pronouncement: 15/02/2021

**ORDER**

**PER SAKTIJIT DEY, JM**

This is an appeal by the assessee against the order dated 31.01.2019 of learned Commissioner of Income Tax (Appeals) – 17, Mumbai for the assessment year 2012-13.

**2.** The Learned Authorized Representative of the assessee, at the outset, sought permission on behalf of the assessee to withdraw the appeal as the assessee has opted for settling the dispute under the Direct Tax Vivad se Vishwas Act, 2020 and has received certificate in Form 3. In fact, the assessee has also sent letter dated 15.02.2021(kept on record) with similar request.

**3.** The Learned Departmental Representative has no objection to the aforesaid request of the assessee.

**4.** In view of the facts discussed above, we permit the assessee to withdraw this appeal. Accordingly, the appeal is dismissed as withdrawn.



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3. In the result, appeal is dismissed.

Order pronounced in the open court on 15<sup>th</sup> February, 2021.

Sd/-  
(N.K. PRADHAN)  
ACCOUNTANT MEMBER

Sd/-  
(SAKTIJIT DEY)  
JUDICIAL MEMBER

मुंबई Mumbai; दिनांक Dated: 15/02/2021

Vijay Pal Singh (Sr. PS)

**आदेश प्रतिलिपि अग्रेषित / 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
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /  
DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

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