

**IN THE INCOME TAX APPELLATE TRIBUNAL
“E” BENCH, MUMBAI**

**BEFORE SHRI SHAMIM YAHYA, ACCOUNTANT MEMBER &
SHRI PAVAN KUMAR GADALE, JUDICIAL MEMBER**

ITA No. 2724/Mum/2019

(A.Y: 2014-15)

Ecohomes Constructions Pvt. Ltd., 1406 Ecostar, Vishveshwara Nagar, Off Aarey Road, Goregaon (E), Mumbai - 400063	बनाम/ Vs.	ACIT - 9 (2)(2), Room No. 665-A, Aayakar Bhavan, M.K. Marg, Mumbai - 400020
स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. : AABCD4416H		
(अपीलार्थी / Appellant)	..	(प्रत्यर्थी / Respondent)

अपीलार्थी ओर से / Appellant by :	None
प्रत्यर्थी की ओर से/ Respondent by :	Shri Vijay Kumar Menon, DR

सुनवाई की तारीख / Date of Hearing	11/02/2021
घोषणा की तारीख / Date of Pronouncement	11/02/2021

आदेश / O R D E R

PER PAVAN KUMAR GADALE:

The assessee has filed the appeal against the order of the Commissioner of Income Tax (Appeals) - 16, Mumbai, passed u/s. 143(3) and 250 of the Income Tax Act, 1961.

2. At the time hearing, none appeared on behalf of the assessee. The assessee has filed a letter dated 01.02.2021 that the assessee is intend to settle the tax litigation by opting for 'Vivad se Vishwas Scheme 2020'(VSVS2020) and filed an application in Form No. 1 & 2 under VSVS Rules 2020. Contra, the Ld. DR has no objections.

3. We heard the Ld.DR and perused the material on record. Since the assessee has opted for 'Vivaad se Vishwas Scheme 2020' and has filed a letter dated 01.02.2021 mentioning that the assessee has applied under VSVS 2020 and received Form-3 from the Income Tax Department. We are of the view that, no purpose will be served in keeping the appeal pending. Accordingly, we dismiss the appeal of the assessee as withdrawn and the assessee is given liberty to move an application u/s 254(2) of the Act to recall the

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present order in accordance with the provisions of law.

4. In the result, the appeal filed by the assessee is dismissed.

Order pronounced in the open court on 11.02.2021.

Sd/-
(SHAMIM YAHYA)
ACCOUNTANT MEMBER
Mumbai, Dated 11.02.2021

Sd/-
(PAVAN KUMAR GADALE)
JUDICIAL MEMBER

AK, PS

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. संबंधित आयकर आयुक्त / The CIT(A)
4. आयकर आयुक्त(अपील) / Concerned CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /
DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

सत्यापित प्रति //True Copy//

आदेशानुसार/ BY ORDER,

उप/सहायक पंजीकार (Asst. Registrar)

आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai