

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

**BEFORE SHRI M.BALAGANESH (ACCOUNTANT MEMBER) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No.4797/MUM/2018
(Assessment Year: 2014-15)**

The DCIT -14(1)(2),
Room No. 475, 4th Floor,
Aayakar Bhavan, M.K.Road,
Mumbai – 400 020

M/s Crest Logistics and
Engineers Pvt. Limited,
Unit No. 306, 3rd Floor,
Magnus Opus,
Mumbai 400 055

PAN No. AACCR7266A

(Revenue)

(Assessee)

Assessee by : Shri Amit Khatiwala, A.R
Revenue by : Shri V. Sreekar, D.R

Date of Hearing : 01/03/2021
Date of pronouncement : 01/03/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the revenue is directed against the order passed by the CIT(A)-22, 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 26.08.2016 for assessment year 2014-15.

2. The assessee has filed a letter on 22nd February, 2021, wherein it is stated that it has filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal and had received 'Form 5' from the designated authority. (copy enclosed). It is stated by the assessee that in the backdrop of the aforesaid facts the captioned appeal filed by the revenue may be directed to be withdrawn.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 In view of the above, we dismiss the revenue's appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the appellant revenue shall have liberty to approach the Tribunal for restoration of its appeal.

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 Resultantly, the appeal is dismissed as withdrawn subject to the observations recorded hereinabove.

Order pronounced in the open court on 01/03/2021.

Sd/-
(M. Balaganesh)
ACCOUNTANT MEMBER

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 01.03.2021

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