



ITA No.1150/Mum/2019
AKM Enterprises Private Ltd.
Assessment Year: 2005-06

आयकर अपीलीय अधिकरण “ए” न्यायपीठ मुंबई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
“A” BENCH, MUMBAI

माननीय श्री शक्तिजी दे, न्यायिक सदस्य एवं
माननीय श्री मनोज कुमार अग्रवाल, लेखा सदस्य के समक्ष।
BEFORE HON’BLE SHRI SAKTIJIT DEY, JM AND
HON’BLE SHRI MANOJ KUMAR AGGARWAL, AM
(Hearing Through Video Conferencing Mode)

आयकर अपील सं./ I.T.A. No.1150/Mum/2019
(निर्धारण वर्ष / Assessment Year: 2005-06)

AKM Enterprises Private Ltd. C/o., S.K. Loonkar & Co. 304, Kakad Chambers 132, Dr. Annie Besant Road Worli, Mumbai-400 018	बनाम/ Vs.	Income Tax Officer-5(1)(1) Aaykar Bhavan Mumbai-400 020
स्थायी लेखासं./जी आइ आर सं./PAN/GIR No. AACCR-0002-J		
(पीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

Assessee by	:	Letter dated 18/11/2020
Revenue by	:	Shri Brajendra Kumar -Ld.DR

सुनवाई की तारीख/ Date of Hearing	:	25/02/2021
घोषणा की तारीख / Date of Pronouncement	:	03/03/2021

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year 2005-06, contests the order of learned first appellate authority *qua* confirmation of penalty u/s 271(1)(c).
2. Though none appeared for assessee but Ld. DR, drawing attention to assessee’s letter dated 18/11/2020, pointed out that the assessee is



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already contemplating settling the dispute under Direct Tax *Vivad Se Vishwas Scheme (VVS Scheme), 2020* and therefore, the appeal may be dismissed.

3. In view of the foregoing, we find no fruitful purpose to keep the appeal pending and hence, inclined to dismiss the appeal with a liberty to assessee to seek restoration of this appeal in case the declaration filed under the scheme is not accepted, for whatever reasons.

4. The appeal stands dismissed as withdrawn.

Order pronounced on 03rd March, 2021

Sd/-

(Saktijit Dey)

न्यायिक सदस्य / **Judicial Member**

Sd/-

(Manoj Kumar Aggarwal)

लेखा सदस्य / **Accountant Member**

मुंबई Mumbai; दिनांक Dated : 03/03/2021
Sr.PS, Jaisy Varghese

आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकरआयुक्त(अपील) / The CIT(A)
4. आयकरआयुक्त/ CIT– concerned
5. विभागीयप्रतिनिधि, आयकरअपीलीयअधिकरण, मुंबई/ DR, ITAT, Mumbai
6. गार्डफाईल / Guard File

आदेशानुसार/ BY ORDER,

उप/सहायक पंजीकार (Dy./Asstt.Registrar)
आयकरअपीलीयअधिकरण, मुंबई / ITAT, Mumbai.