

IN THE INCOME TAX APPELLATE TRIBUNAL
“SMC” BENCH, MUMBAI
BEFORE SHRI SHAMIM YAHYA, ACCOUNTANT MEMBER &
SHRI PAVAN KUMAR GADALE, JUDICIAL MEMBER

ITA No. 3379/Mum/2019

(A.Y: 2014-15)

M/s Mekaul construction Technologies Pvt Ltd., 4 th Floor, Mani Bhavan, 54 Hughes Road, Mumbai.	Vs.	DCIT – 5(2)(2) 5 th Floor, Aayakar Bhavan, Room No. 571, MK Road, Mumbai.
स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. : AADCM2609M		
Appellant	..	Respondent

Appellant by :	None (letter filed on 5-3-2021)
Respondent by :	Ms. Smita Verma, DR

Date of Hearing	12.03.2021
Date of Pronouncement	15.03.2021

आदेश / O R D E R

PER PAVAN KUMAR GADALE:

This appeal is filed by the assessee against the order of the Commissioner of Income Tax (Appeals) – 10, Mumbai, passed u/s. 143(3) r.w.s 147 and 250 of the Income Tax Act, 1961.

2. At the time hearing, none appeared on behalf of the assessee. The Ld.AR has filed a letter on 05-03-2021 explaining 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 the Ld.AR has filed a letter dt 05-03-2021 mentioning that the assessee has applied under VSVS 2020 and has 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 Accordingly, we dismiss the appeal of the assessee as withdrawn and the assessee is given liberty to move an application u/s 254(2) of the Act to recall the present order as per provisions of Law.

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

Order pronounced in the open court on 15.03.2021

Sd/- (SHAMIM YAHYA)	Sd/- (PAVAN KUMAR GADALE)
ACCOUNTANT MEMBER	JUDICIAL MEMBER

Mumbai, Dated 15.03.2021

KRK, 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, अहमदाबाद / DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

1.

(Asst. Registrar)
ITAT, Mumbai