

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

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

**ITA No.4972/MUM/2014  
(Assessment Year: 2011-12)**

Shri Munnalal B. Agarwal  
C/o. D.C. Jain & Co.  
75, Bombay Mutual Bldg.  
293, Dr. D.N. Road, Fort,  
Mumbai 400001

Asst. CIT 14(1),  
Vs. Earnest House, 2<sup>nd</sup> Floor,  
Nariman Point,  
Mumbai - 400021

**PAN No. AAAPA7536M**

**(Assessee)**

**(Revenue)**

Assessee by : (Withdrawal request letter, dated 08.03.2021)  
Revenue by : Shri Tharian Oommen, D.R

Date of Hearing : 09/03/2021  
Date of pronouncement : 09/03/2021

**ORDER**

**PER RAVISH SOOD, J.M:**

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-25, 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 14.03.2014 for assessment year 2011-12.

2. The assessee's counsel has filed a letter on 08<sup>th</sup> March, 2021, wherein it is stated that as he has decided to file an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal, thus, the aforesaid appeal may be allowed to be withdrawn.

3. The Id. D.R did not raise any objection to seeking of withdrawal of the appeal by the assessee appellant.

4. In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach the Tribunal for restoration of its appeal.

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 Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in the open court on 09/03/2021.

Sd/-  
(M. Balaganesh)  
ACCOUNTANT MEMBER  
Mumbai;  
Dated: 09.03.2021  
PS: Rohit

Sd/-  
(Ravish Sood)  
JUDICIAL MEMBER

**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**