

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT)  
"J" BENCH, MUMBAI**

**BEFORE SHRI C.N. PRASAD, HON'BLE JUDICIAL MEMBER AND  
SHRI M. BALAGANESH, HON'BLE ACCOUNTANT MEMBER**

**ITA NO. 2376/MUM/2019 (A.Y: 2010-11)**

ACIT – Circle – 5(3)(2) Room No. 583, Aayakar Bhavan M.K. Road, Mumbai – 400 020  <b>PAN: AAACU0551B</b>	v.	M/s. Unichem Laboratories Ltd., Unichem Bhavan, 8 Prabhat Estate, S.V. Road Jogeshwari (W) Mumbai - 400102
<b>(Appellant)</b>		<b>(Respondent)</b>

<b>Assessee by</b>	<b>:</b>	<b>Shri Akshay Jain</b>
<b>Department by</b>	<b>:</b>	<b>Shri Sunil Jha</b>
<b>Date of Hearing</b>	<b>:</b>	<b>24.03.2021</b>
<b>Date of Pronouncement</b>	<b>:</b>	<b>24.03.2021</b>

**ORDER**

**PER C.N. PRASAD (JM)**

**1.** This appeal is filed by the revenue against order of the Learned Commissioner of Income Tax (Appeals)–58, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 14.01.2019 for the A.Y. 2010-11.

**2.** Ld. Counsel for the assessee filed a letter through mail dated 23<sup>rd</sup> March, 2021 and submitted as under: -

*"Sub: Unichem Laboratories Limited II ITA.No. 2376/Mum/2019 (Department's appeal) II A.Y. 2010-11 II withdrawal of appeal.*

*The aforementioned department's appeal is schedule for hearing on 24.03.2021. In this regards, we would like to state that the assessee is desirous of settling the litigation under Direct Tax Vivad se Vishwas Act, 2020.*

*The assessee had filed Form-1 under the Act on 30.01.2020. Now the assessee is in receipt of Form-3 from the prescribed authority. Copy of Form 1 and Form 3 is attached herewith for Your Honour's reference and records.*

*Accordingly, we request You Honour to kindly initiate necessary proceedings in this regards. We hope that our reasonable request will be acceded to."*

- 3.** On a perusal of the above letter filed by the assessee and enclosed copy of Form-3 it is noticed that assessee has already filed declaration and undertaking in Form-1 under Vivad Se Vishwas Scheme and received Form-3 from the Revenue accepting the said declaration. Assessee requested for withdrawal of the appeal. Accepting the request of the assessee for withdrawal of appeal, this appeal is dismissed as withdrawn.
  
- 4.** In the result, appeal of the assessee is dismissed as withdrawn.

Order pronounced in the virtual court on 24.03.2021

Sd/-  
**(M. BALAGANESH)**  
**ACCOUNTANT MEMBER**

Mumbai / Dated 24.03.2021  
Giridhar, Sr.PS

Sd/-  
**(C.N. PRASAD)**  
**JUDICIAL MEMBER**

**Copy of the Order forwarded to:**

1. The Appellant
2. The Respondent.
3. The CIT(A), Mumbai.
4. CIT
5. DR, ITAT, Mumbai
6. Guard file.

//True Copy//

BY ORDER

(Asstt. Registrar)  
**ITAT, Mum**