

आयकर अपीलीय अधिकरण "B" न्यायपीठ मुंबई में।

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

श्री महावीर सिंह, उपाध्यक्ष एवं श्री एस रिफ़ौर रहमान, लेखा सदस्य के समक्ष ।

BEFORE SRI MAHAVIR SINGH, VP AND SRI S RIFAUR RAHMAN, AM

आयकर अपील सं./ ITA No. 6129/Mum/2019

(निर्धारण वर्ष / Assessment Years 2008-09)

M/s Notandas & Sons; Shop No. 6, Mangal Darshan, Waterfield Road, Bandra (West), Mumbai-400 050	बनाम/ Vs.	The Asst. Commissioner of Income Tax, Circle 23(2), Matru Mandir, Mumbai-400 007
(अपीलार्थी / Appellant)		(प्रत्यर्थी/ Respondent)
स्थायी लेखा सं./PAN No. AAAFN9168N		

अपीलार्थी की ओर से/ Appellant by	:	Shri Devang Divecha, AR
प्रत्यर्थी की ओर से/ Respondent by	:	Shri Tarian Oommen, DR

सुनवाई की तारीख / Date of hearing:	26.04.2021
घोषणा की तारीख / Date of pronouncement:	26.04.2021

आदेश / ORDER

महावीर सिंह, उपाध्यक्ष के द्वारा /

PER MAHAVIR SINGH, VP:

This appeal of assessee is arising out of the order of the Commissioner of Income Tax (Appeals)-33, Mumbai, [in short CIT(A)], in appeal No. CIT(A)-33/Rg.21/24/2016-17 dated 15.07.2019. The assessment was framed by the Asst. Commissioner of Income Tax (in short ACIT/ ITO/ AO), Circle 23(2), Mumbai for the A.Y. 2008-09 vide



order dated 14.03.2016 under section 143(3) of the Income-tax Act, 1961 (hereinafter 'the Act').

2. The Ld. AR submitted that the assessee has already opted for settlement of dispute for the year under Direct Tax *Vivad Se Vishwas Scheme (VVS Scheme), 2020* and therefore, seeks withdrawal of the appeal. The Ld. DR did not raise any objection against the same.

3. In view of foregoing, the appeal stand dismissed as withdrawn with a liberty to assessee to seek restoration of the appeal in case the aforesaid declaration filed under the scheme is not accepted, for whatever reasons.

3. In the result, the appeal of the assessee is dismissed as withdrawn.

Order pronounced in the open court on 26.04.2021

Sd/-

(एस रिफ़ौर रहमान/ S RIFAUR RAHMAN)

(लेखा सदस्य / ACCOUNTANT MEMBER)

Sd/-

(महावीर सिंह /MAHAVIR SINGH)

(उपाध्यक्ष / VICE PRESIDENT)

मुंबई, दिनांक/ Mumbai, Dated: 26.04.2021

सुदीप सरकार, व. निजी सचिव/ *Sudip Sarkar, Sr.PS*



आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त(अपील) / The CIT(A)
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /
DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार (Asstt. Registrar)

आयकर अपीलीय अधिकरण, मुंबई / **ITAT, Mumbai**