

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

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

**ITA No.6132/MUM/2019
(Assessment Year: 2015-16)**

Income Tax Officer-18(3)(2),
Room No. 607, 6th Floor,
Earnest House, Nariman Point,
Mumbai - 400021

Smt. Renudevi D. Modi
Vs. E-8 Bhangwadi, 1st Floor,
Kalbadevi Road,
Mumbai - 400002

PAN No. AABPM5124A

(Revenue)

(Assessee)

Assessee by : None
Revenue by : Shri Bharat Andhale, Sr. D.R

Date of Hearing : 27/04/2021
Date of pronouncement : 21/05/2021

ORDER

PER RAVISH SOOD, J.M:

The captioned appeal filed by the revenue is directed against the order passed by the CIT(A)-29, Mumbai, dated 25.07.2019, which in turn arises from the order passed by the A.O under Sec.143(3) of the Income-tax Act, 1961, dated 30.12.2017 for A.Y. 2015-16.

2. The assessee has filed a letter dated 14th April, 2021, wherein it is inter alia stated by her that she has filed an application under the Direct Tax Vivad se Vishwas Act, 2020 with respect to the captioned appeal for A.Y. 2015-16 which is pending before the Income-tax Appellate Tribunal. Copy of the Form 1 and Form 2 filed by the assessee under the Direct Tax Vivad se Vishwas Act, 2020 has been filed alongwith the present application.

3. The Id. D.R did not controvert the aforesaid factual position as had been canvassed before us.

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 In view of the above, we dismiss the revenue's appeal as withdrawn, subject to a rider that in the unlikely event the matter not being resolved under the Vivad se Vishwas scheme then the appellant revenue shall have liberty to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

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 Resultantly, the appeal is dismissed as withdrawn subject to the observations recorded hereinabove.

Order pronounced in the open court on 21/05/2021.

Sd/-
(M. Balaganesh)
ACCOUNTANT MEMBER

Mumbai;

Dated: 21.05.2021

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