

IN THE INCOME TAX APPELLATE TRIBUNAL
“H” BENCH, MUMBAI

BEFORE SHRI PAVAN KUMAR GADALE, JUDICIAL MEMBER &
SHRI MANOJ KUMAR AGGARWAL, ACCOUNTANT MEMBER

ITA NoS. 5971, 5972 & 5973/Mum/2019

(A.YS: 2011-12, 2012-13 & 2013-14)

Dr. Kaushal Samir Kadam Corion Fertility Clinic, 2 nd Floor, Transa Avenue, Andheri West, Mumbai.	Vs.	ACIT – 16(2) Aayakar Bhavan, MK Road, Mumbai.
स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. : AHWPK1763B		
Appellant	..	Respondent

Appellant by :	None
Respondent by :	Shri Gurbinder Singh, DR

Date of Hearing	09.03.2021
Date of Pronouncement	10.03.2021

आदेश / O R D E R

PER PAVAN KUMAR GADALE:

These three appeals are filed by the assessee against the separate orders of the Commissioner of Income Tax (Appeals) - 5 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 9-3-2021

mentioning that the assessee is intended 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 has filed application and received Form no 3 from the Income Tax Department. We are of the view that, no purpose will be served in keeping the appeals pending. Accordingly, we dismiss the appeals of the assessee as withdrawn and the assessee is given liberty to move an application u/s 254(2) of the Act to recall the present order in accordance with the provisions of law.

4. In the result, the appeals filed by the assessee are dismissed.

Order pronounced in the open court on 10.03.2021

Sd/-

Sd/-

(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER

(PAVAN KUMAR GADALE)
JUDICIAL MEMBER

Mumbai, Dated 10.03.2021

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