

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

**BEFORE SHRI RAJESH KUMAR (ACCOUNTANT MEMBER) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No. 5349/MUM/2019
(Assessment Year: 2009-10)**

M/s Jade Consumer Products (I) Pvt. Ltd.; Flat No. 1, Plot No. 108, Rajkar Building, Mahakali Caves Road, Sher-e-Punjab, Mumbai- 400 093.	Vs.	Deputy Commissioner of Income-Tax-10(2)(1), Aaykar Bhawan, Mumbai – 400 020
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PAN NoAABCJ7019A

(Assessee)

(Revenue)

Assessee by	:	Shri. Akshay Jain
Revenue by	:	Shri. Jitendra Kumar, D.R

Date of Hearing	:	17/06/2021
Date of pronouncement	:	17/06/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-17, Mumbai, which in turn arises from the order passed by the A.O under Sec. 271(1)(c) of the Income-tax Act, 1961, dated 28.03.2018 for assessment year 2009-10.

2. The Id. Authorised Representative (for short "A.R") for the assessee at the very outset of the hearing of the appeal submitted that as the assessee had filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal, therefore, as instructed, the captioned appeal may be allowed to be withdrawn.

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

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 In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach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 Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.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 17/06/2021.

Sd/-
(Rajesh Kumar)
ACCOUNTANT MEMBER

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 17.06.2021

PS: Rohit

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