

**IN THE INCOME TAX APPELLATE TRIBUNAL, 'J' BENCH
MUMBAI**

**BEFORE: SHRI VIKAS AWASTHY, JUDICIAL MEMBER
&
SHRI M.BALAGANESH, ACCOUNTANT MEMBER**

**ITA No.5282/Mum/2017
(Assessment Year :2012-13)**

M/s. Omya India Private Limited 302, 3 rd Floor, Windsor House Off. CST Road, Kalina Santacruz(W) Mumbai – 400 098	Vs.	Deputy Commissioner of Income Tax -7(3)(1) Aaykar Bhavan Marine Lines Mumbai – 400 020
PAN/GIR No.AAACO7164N		
(Appellant)	..	(Respondent)

Assessee by	Shri Ketan Ved
Revenue by	Shri Vatsalya Saxena
Date of Hearing	12/07/2021
Date of Pronouncement	12/07/2021

आदेश / O R D E R

PER M. BALAGANESH (A.M.):

This appeal in ITA No.5282/Mum/2017 for A.Y.2012-13 preferred by the order against the final assessment order passed by the Assessing Officer dated 29/11/2016 u/s.143(3) r.w.s.144C(13) of the Income Tax Act, hereinafter referred to as Act, pursuant to the directions of the Id. Dispute Resolution Panel (DRP in short) u/s.144C(5) of the Act dated 29/09/2016 for the A.Y.2012-13.

2. We find that the Id. AR filed a letter dated 12/07/2021 mentioning that assessee had preferred an application under direct tax "Vivad Se Viswas Scheme 2020" to settle this tax dispute for the year under consideration and had obtained Form-5 from the designated authority thereon, copy of which was enclosed alongwith this letter. Ld. DR also agreed that the Form-5 has been received.

3. In view of this, we hereby dismiss the appeal pending before us.

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 In the result, appeal of the assessee is dismissed as withdrawn.

Order pronounced in open Court on 12/07/2021.

Sd/-
(VIKAS AWASTHY)
JUDICIAL MEMBER

Mumbai; Dated 12/07/2021
KARUNA, *sr.ps*

Sd/-
(M.BALAGANESH)
ACCOUNTANT 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, Mumbai