

आयकर अपीलिय अधिकरण
मुंबई पीठ "एस एम सी", मुंबई
श्री विकास अवस्थी, न्यायिक सदस्य के समक्ष
IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "SMC", MUMBAI
BEFORE SHRI VIKAS AWASTHY, JUDICIAL MEMBER
आअसं. 7840/मुं/2019 (नि.व.2009-10)
ITA NO.7840/MUM/2019 (A.Y.2009-10)

Income Tax Officer – 28(1)(2),
Room No.328, 3rd Floor,
Tower No.6, Vashi Rly. Station Complex,
Vashi, Navi Mumbai 400 703

..... अपीलार्थी /Appellant

बनाम Vs.

Smt. Archana S. Thakkar,
302, Sahara CHS Ltd. Plot No.40,
Nerul, Navi Mumbai – 400 706
PAN: AADPT-6089-K

..... प्रतिवादी/Respondent

अपीलार्थी द्वारा/ Appellant by : Shri Sanjay J. Sethi

प्रतिवादी द्वारा/Respondent by : None

सुनवाई की तिथि/ Date of hearing : 01/07/2021

घोषणा की तिथि/ Date of pronouncement : 01/07/2021

आदेश/ ORDER

PER VIKAS AWASTHY, J.M:

This appeal by the Revenue is directed against the order of Commissioner of Income Tax (Appeals)-26, Mumbai [in short 'the CIT(A)'] dated 14/10/2019 for the assessment years 2009-10.

2. The assessee has opted for Vivad Se Vishwas Scheme, 2020'(in short 'VSVS') to settle the dispute. Since, this appeal is by the Revenue, the Id. Departmental Representative was asked to furnish report on assessee's compliance to the conditions stated in Form-3. Shri Sanjay J. Sethi, Id. Departmental representative made a statement that the assessee has complied with the conditions as laid down

in Form-3 and final settlement certificate in Form-5 has been issued by the Department. The Id. Departmental Representative submitted that a copy of Form-5 has been sent on official e-mail of the Tribunal.

4. In view of the fact that assessee has settled the dispute under VSVS and has paid the taxes in compliance of Form-3, this appeal by the Revenue has become infructuous and the same is dismissed as such.

Order pronounced in the open court on Thursday, the 1st day of July, 2021.

Sd/-

(VIKAS AWASTHY)

न्यायिक सदस्य/JUDICIAL MEMBER

मुंबई/Mumbai, दिनांक/Dated: 01/07/2021.

Vm, Sr. PS (O/S)

प्रतिलिपि अग्रेषितCopy of the Order forwarded to :

1. अपीलार्थी/The Appellant ,
2. प्रतिवादी/ The Respondent.
3. आयकर आयुक्त(अ)/ The CIT(A)-
4. आयकर आयुक्त CIT
5. विभागीय प्रतिनिधि, आय.अपी.अधि., मुंबई/DR, ITAT,
Mumbai
6. गार्ड फाइल/Guard file.

//True Copy//

BY ORDER,

(Dy./Asstt. Registrar)
ITAT, Mumbai