

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

**BEFORE: SHRI SAKTIJIT DEY, JUDICIAL MEMBER
&
SHRI M.BALAGANESH, ACCOUNTANT MEMBER**

**ITA No.8036/Mum/2019
(Assessment Year :2008-09)**

Shri Abhijeet B Rane A-Wing, 102, Zaitoon Apartment, 1 st Floor Goregaon Station Road Mumbai – 400 062	Vs.	ACIT 25(3) Kautilya Bhavan BKC Bandra East Mumbai- 400 051
PAN/GIR No.ADMPR1331A		
(Appellant)	..	(Respondent)

Assessee by	None
Revenue by	Shri Brajendra Kumar
Date of Hearing	20/07/2021
Date of Pronouncement	20/07/2021

आदेश / O R D E R

PER M. BALAGANESH (A.M):

This appeal in ITA No.8036/Mum/2019 for A.Y.2008-09 arises out of the order by the Id. Commissioner of Income Tax (Appeals)-45, Mumbai in appeal No.CIT(A), Mumbai-45/10035/2014-15 dated 11/11/2019 (Id. CIT(A) in short) against the order of assessment passed u/s.143(3) r.w.s. 147 of the Income Tax Act, 1961 (hereinafter referred to as Act) dated 31/12/2013 by the Id. Asst. Commissioner of Income Tax-25(3), Mumbai (hereinafter referred to as Id. AO).

2. We find that the assessee filed a letter dated 16/07/2021 mentioning that an application had been preferred under direct tax "Vivad Se Viswas Scheme 2020" to settle this tax dispute for the year under consideration and had obtained Form-3 from the designated authority thereon, copy of which was enclosed alongwith this letter.

3. In view of this, we hereby treat the appeal pending before us as dismissed and withdrawn with a liberty given to the assessee to get the appeal restored in the event that assessee's declaration made under "Vivad Se Viswas Scheme 2020" is declared bad in law in future for any reason whatsoever.

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

Order pronounced in open Court on 20/07/2021

Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER

Sd/-
(M.BALAGANESH)
ACCOUNTANT MEMBER

Mumbai; Dated 20/07/2021
KARUNA, *sr.ps*

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