

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

**BEFORE SHRI S. RIFAUR RAHMAN (ACCOUNTANT MEMBER) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No. 5488/MUM/2019
Assessment Year: 2013-14**

Hagel Capsule Industries Limited,
Mukund M. Chitale & Co.,
Chartered Accountants 2nd floor,
Kapur House, Paranjape B Scheme
Road, No. 1, Vile Pare (East),
Mumbai-400057.

PAN No. AAACH 2022 C

Appellant

DCIT-10(1)(1),
Vs. Mumbai

Respondent

Assessee by : None
Revenue by : Mr. Gurbinder Singh, DR

Date of Hearing : 21/06/2021
Date of pronouncement : 21/06/2021

ORDER

PER S. RIFAUR RAHMAN, A.M.

The present appeal is filed by the assessee against the order of the Commissioner of Income Tax (Appeals)-17, Mumbai [in short 'CIT(A)'] for the assessment year 2013-14 dated 11.10.2018 and arises out of assessment completed u/s 143(3) r.w.s. 263 of the Income Tax Act, 1961 (in short the Act).

2. At the outset, when the appeal was called out for hearing, none has appeared on behalf of the assessee in spite of calls. Vide letter dated 14.05.2021, assessee submitted that it has filed the necessary declaration under Direct Tax

Vivad se Vishwas Act, 2020 (Act 3 of 2020) and confirmed the receipt of Form-3 and prayer to withdraw the appeal.

3. The Ld. DR also did not object to course so suggested and agreed to allow the withdrawal of appeal by the assessee.

4. In view of the above, we dismiss the appeal of the assessee since assessee has preferred to settle the issue under Vivad se Vishwas Scheme and it has received the acknowledgement in Form-3 as well. Therefore, this appeal is accordingly dismissed as withdrawn.

5. In the result, the appeal is dismissed.

Order pronounced in the open Court on 21/06/2021.

Sd/-
(RAVISH SOOD)
JUDICIAL MEMBER

Sd/-
(S. RIFAUR RAHMAN)
ACCOUNTANT MEMBER

Mumbai;

Dated: 21/06/2021

Rahul Sharma, Sr. P.S.

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.

//True Copy//

BY ORDER,

(Dy./Assistant Registrar)
ITAT, Mumbai