

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

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

**ITA No.298/MUM/2020
(Assessment Year: 1990-91)**

M/s Naresh Trading Co.
116, Mulji Devsi Building, Ground
Floor, New Chinch Bunder Road,
Mumbai – 400 009

Asstt. CIT, CC-3(3)
Vs. Room No. 401,
Aayakar Bhavan, M.K. Road,
Mumbai 400 020

PAN No. AAAFN3246K

(Assessee)

(Revenue)

Assessee by : Withdrawal letter dated 10.06.2021
Revenue by : Shri Sanjay J. Sethi, D.R

Date of Hearing : 11/08/2021
Date of pronouncement : 11/08/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-51, Mumbai, which in turn arises from the assessment order passed by the A.O under Sec. 143(3) r.w.s 147 r.w.s 245HA of the Income-tax Act, 1961 dated 16.03.2015 for assessment year 1990-91.

2. The assessee has e-filed a letter on 10.06.2021, wherein it is pointed out that it has filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal. It is further stated by the assessee that it has received "Form 3" from the designated authority. It is stated by the assessee that in the backdrop of the aforesaid facts the captioned appeal may allowed to be withdrawn.

3. The Id. D.R did not controvert the aforesaid factual position as had been stated 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 In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach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 Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.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 11/08/2021.

Sd/-
(S.Rifaur Rahman)
ACCOUNTANT MEMBER

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 11.08.2021

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