

IN THE INCOME TAX APPELLATE TRIBUNAL  
PUNE BENCH “SMC”, PUNE – VIRTUAL COURT

BEFORE SHRI R.S. SYAL, VICE PRESIDENT AND  
SHRI S.S. VISWANETHRA RAVI, JUDICIAL MEMBER

ITA No.2124/PUN/2019

निर्धारण वर्ष / Assessment Year : 2015-16

Swaroop Arjunram Mistry G1004, Wonder Galaxy, Wonder City, Pune Bangalore Highway, Pune – 411046 PAN: AHYPM4742Q	Vs.	ITO, Ward 6(3), Pune
Appellant		Respondent

Assessee by : Smt. Sarvesha Baj  
Revenue by : Shri S.P Walimbe

Date of hearing : 30-08-2021  
Date of pronouncement : 30-08-2021

आदेश / ORDER

This appeal by the assessee is directed against the order passed by the CIT(A)-4, Pune on 23-10-2019 in relation to the assessment year 2015-16.

2. Before us, the ld. AR has filed a letter dated 09-08-2021 seeking permission to withdraw the appeal under

‘Vivad Se Vishwas Scheme’ under The Direct Taxes Vivad Se Vishwas Act, 2020. The relevant contents of such letter reads as under :

*“With reference to the above subject, it is respectfully submitted that the Appellant has opted for the Direct Tax Vivad Se Vishwas Act, 2020 (‘DTVSV Act’), to settle the dispute pending before your Honours.*

*In this reference, the Appellant had submitted Form 1 and Form 2 in accordance with Rule 3 of the Direct Tax Vivad se Vishwas Rules, 2020 (‘the Rules’) on 24<sup>th</sup> December, 2020. Copy of the Form 1 & 2 is attached herewith as **Annexure-1** for your Honour’s ready reference and record. Further, the Designated Authority issued Form 3 in accordance with Rule 3 of the Rules on 27<sup>th</sup> January, 2021. Copy of the Form 3 is attached herewith as **Annexure-2** for your Honour’s ready reference and record.*

*In view of the above, and in accordance with Section 4(3) of the DTVSV Act, the Appellant is hereby withdrawing the current appeal filed on 31<sup>st</sup> December, 2019. The Appellant has already paid the entire demand raised in From-3.*

*The Appellant requests your Honour to kindly grant permission to withdraw the appeal, so that it can proceed under the DTVSV Act and settle the dispute.”*

3. On perusal of the above letter and having no objection from the side of ld. DR, we allow the request of ld. AR to withdraw the appeal.

4. In the result, the appeal is dismissed as 'withdrawn'.

Order pronounced in the Open Court on 30<sup>th</sup> August, 2021.

Sd/-  
**(S.S.VISWANETHRA RAVI)**  
**JUDICIAL MEMBER**

Sd/-  
**(R.S.SYAL)**  
**VICE PRESIDENT**

पुणे Pune; दिनांक Dated : 30<sup>th</sup> August, 2021  
GCVSR/SB

**आदेश की प्रतिलिपि अग्रेषित/Copy of the Order is forwarded to:**

1. अपीलार्थी / The Appellant;
2. प्रत्यर्थी / The Respondent;
3. The CIT(A)-4, Pune
4. The Pr.CIT-3, Pune
5. DR 'SMC', ITAT, Pune
6. गार्ड फाईल / Guard file

आदेशानुसार/ BY ORDER,

**// True Copy //**

Senior Private Secretary  
आयकर अपीलीय अधिकरण ,पुणे / ITAT, Pune

		Date	
1.	Draft dictated on	30-08-2021	Sr.PS
2.	Draft placed before author	30-08-2021	Sr.PS
3.	Draft proposed & placed before the second member		JM
4.	Draft discussed/approved by Second Member.		JM
5.	Approved Draft comes to the Sr.PS/PS		Sr.PS
6.	Kept for pronouncement on		Sr.PS
7.	Date of uploading order		Sr.PS
8.	File sent to the Bench Clerk		Sr.PS
9.	Date on which file goes to the Head Clerk		
10.	Date on which file goes to the A.R.		
11.	Date of dispatch of Order.		