

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

आयकर अपील सं. / ITA No.2123/PUN/2019  
निर्धारण वर्ष / Assessment Year : 2015-16

Manohar Arjunram Mistry, G1004, Wonder Galaxy, Wonder City, Pune Bangalore Highway, Pune 411 046 Maharashtra PAN : AGVPM6072F	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 arise out of the order dated 22-10-2019 passed by the CIT(A)-4, Pune in relation to the assessment year 2015-16.

2. Before us, the assessee has a filed letter dated 09-08-2021 seeking withdrawal of the appeal. 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 26<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 Form-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. The ld. DR did not raise any objection to the withdrawal of the appeal filed by the assessee. As such, the assessee is permitted 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 In the result, the appeal is dismissed as 'withdrawn'.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  
सतीश /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 PCIT-3, Pune
5. DR, ITAT, 'SMC' Bench, 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.		