

**INCOME TAX APPELLATE TRIBUNAL  
MUMBAI 'D' BENCH, MUMBAI**

**[Coram: Pramod Kumar, Vice President and  
Pavan Kumar Gadale, Judicial Member]**

ITA No. 2540/Mum/2018  
Assessment Year: 2008-09

**Rajesh Kumar Mishrimal Jain**

Haji Chawl No. 3, Jawahar Nagar,  
J. P. Road, Khar (E), Mumbai-400 051  
[PAN: ACDPJ 4300 R]

..... Appellant

Vs.

**Income Tax Officer**

**Ward 23(3)(1), Mumbai**

.....Respondent

**Appearances:**

**Namrata Kasale** for the appellant

**Sunil Kumar Mishra** for the respondent

Date of concluding the hearing: : August 27, 2021

Date of pronouncement : August 27, 2021

**O R D E R**

**Per Pramod Kumar, VP :**

1. The assessee has moved petition seeking withdrawal of the appeal and the assessee has also filed Form Nos. 1, 2, & 3, on the ground that the matter is settled under Vivad Se Vishwas Scheme 2020.
2. Learned Departmental Representative does not oppose the prayer so made by the assessee.
3. There is no dispute that once the matter is resolved under Vivad Se Vishwas Scheme 2020, the related appeal is required to be withdrawn.

4. In view of the above position, as also bearing in mind entirety of the case, we deem it fit and proper to dismiss the appeal as withdrawn.

5. In the result, the appeal is dismissed as withdrawn. Pronounced in the open court today on the 27<sup>th</sup> August, 2021.

Sd/-  
**Pavan Kumar Gadale**  
(Judicial Member)

Sd/  
**Pramod Kumar**  
(Vice President)

**Mumbai, dated the 27<sup>th</sup> day of August, 2021**  
*Roshani, Sr. PS*

*Copies to:*

(1)	<i>The Applicant</i>	(2)	<i>The respondent</i>
(3)	<i>CIT</i>	(4)	<i>CIT(A)</i>
(5)	<i>DR</i>	(6)	<i>Guard File</i>

*By order*

*Assistant Registrar*  
*Income Tax Appellate Tribunal*  
*Mumbai benches, Mumbai*