

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

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

ITA No. 5086/Mum/2019
Assessment Year: 2009-10

Simple Rakesh Jain **Appellant**
901/A, Navkar Darshan,
Ulster Road, Byculla East,
Mumbai-400 027
[PAN : AEHPJ 8160M]

Vs.

ITO, Ward-18(3)(3) **Respondent**
Mumbai

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is no dispute that once the matter is resolved under Vivad Se Vishwas Scheme 2020, the related appeal is required to be withdrawn.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of the above position, as also bearing in mind entirety of the case, we deem it fit and proper to dismiss the appeal as withdrawn.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 In the result, the appeal is dismissed as withdrawn.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 27th August, 2021.

Sd/-
Pavan Kumar Gadale
(Judicial Member)

Sd/
Pramod Kumar
(Vice President)

Mumbai, dated the 27th day of February, 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