

**IN THE INCOME TAX APPELLATE TRIBUNAL (VIRTUAL COURT)
"SMC" BENCH, MUMBAI**

BEFORE SHRI C.N. PRASAD, HON'BLE JUDICIAL MEMBER

ITA NO. 1318/MUM/2020 (A.Y: 2007-08)

M/s. Sahil Exports 15, Swastik Residency Road No. 2, Jawahar Nagar Goregaon (W), Mumbai -400062 PAN: AAKFS5778D	v.	Income Tax Officer – 31(3)(3) Kautilya Bhavan, G-Block Bandra Kurla Complex Bandra(E), Mumbai - 400051
(Appellant)		(Respondent)

Assessee by	:	None
Department by	:	Shri Sanjay J. Sethi
Date of Hearing	:	13.09.2021
Date of Pronouncement	:	13.09.2021

ORDER

PER C.N. PRASAD (JM)

1. This appeal is filed by the assessee against order of Learned Commissioner of Income Tax (Appeals)–42, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 15.01.2020 for the A.Y. 2007-08.

2. Assessee through its authorized representative filed a letter dated 24th August, 2021 and submitted as under: -

*"Appeal No.: ITA / 1318 / Mum / 2020, Income tax Appellate Tribunal
against order of ITO Ward 31(3)(3)*

Sub : Hearing of an appeal fixed on 13/09/2021

With reference to the above notice of hearing, we have to state that after filing the appeal, we have decided to opt for Direct tax Vivad se Vishwas and accordingly we have obtained the Certificate dated 19/02/2021 under section 5(1) of Direct tax Vivad se Vishwas Act, 2020 in Form 3. (Attached herewith Form 3 for your ready reference).

On 21/04/2021, we have informed the Registrar, I.T.A.T., Mumbai Benches about submission of Form 4 for withdrawal of appeal. (Attached herewith Form 4 and the covering letter for your ready reference).

From what has been stated above, kindly note that we will not be appearing for the hearing on the appointed date 13/09/2021 since we have already withdrawn the appeal. Please make necessary entries in your records about withdrawal of appeal for the above Assessment year."

3. On a perusal of the above letter filed by the authorized representative of the assessee and enclosed copy of Form-3 it is noticed that assessee has already filed declaration and undertaking in Form-1 under Vivad Se Vishwas Scheme and received Form-3 from the Revenue accepting the said declaration. Assessee requested for withdrawal of the appeal. Accepting the request of the assessee for withdrawal of appeal, this appeal is dismissed as withdrawn.

4. In the result, appeal of the assessee is dismissed as withdrawn.

Order pronounced in the virtual court on 13.09.2021.

Sd/-
(C.N. PRASAD)
JUDICIAL MEMBER
Mumbai / Dated 13.09.2021
Giridhar, Sr.PS

Copy of the Order forwarded to:

1. The Appellant
2. The Respondent.
3. The CIT(A), Mumbai.
4. CIT
5. DR, ITAT, Mumbai
6. Guard file.

//True Copy//

BY ORDER

(Asstt. Registrar)
ITAT, Mum