

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

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

**ITA NO. 1415/MUM/2020 (A.Y: 2011-12)**

Devdutt Shambhudutt Vyas 9/45-D, Venus Apartment R.G. Thadani Road, Worli Mumbai - 400018  <b>PAN: AABPV7119C</b>	v.	Income Tax Officer – 21(1)(3) Piramal Chambers, Lalbaug Mumbai – 400 012
<b>(Appellant)</b>		<b>(Respondent)</b>

<b>Assessee by</b>	:	<b>None</b>
<b>Department by</b>	:	<b>Smita Verma</b>
<b>Date of Hearing</b>	:	<b>14.09.2021</b>
<b>Date of Pronouncement</b>	:	<b>14.09.2021</b>

**ORDER**

**PER C.N. PRASAD (JM)**

1. This appeal is filed by the assessee against order of Learned Commissioner of Income Tax (Appeals)-33, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 07.01.2020 for the A.Y. 2011-12.

2. Assessee through its authorized representative filed a letter and submitted as under: -

***"Subject:- Withdrawal of ITAT Appeal  
Ref:- ITA 1415/M/2020  
A.Y. 2011-12***

*Respected sir,*

*With reference to above, I would like to inform your goodself that, I have opted for Vivad Se Vishwas Scheme and filed form 1 & 2.*

- *I wish to inform you that my aforesaid application was duly accepted and approved by the prescribed authority. A copy of the approval of my VSVS application is attached Annexure A.*
- *As per section 3 of the Direct Tax Vivad Se Vishwas Act 2020, I am liable for pay Rs. 1,54,173/- amount of dispute tax refer applications filed with Dept.*
- *I have paid income tax challan for Rs. 1,54,173/- dated 13/02/2021 is attached **Annexure B.***

*In view of above, I hereby request your goodself to kindly approve my Withdraw application of Appeal."*

**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 Accepting the request of the assessee for withdrawal of appeal, this appeal is dismissed as withdrawn.

**4.** In the result, appeal of the assessee is dismissed as withdrawn.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 14.09.2021.

Sd/-  
**(C.N. PRASAD)**  
**JUDICIAL MEMBER**  
Mumbai / Dated 14.09.2021  
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**