

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

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

ITA NO. 1343/MUM/2020 (A.Y: 2009-10)

M/s. B.J. Steel Centre (Prop. Shri Babulal Jagrajji Jain) 206, Sant Sena Bhavan Sant Sena, Maharaj Marg 2 nd Kumbharwada, Mumbai -400004 PAN: AADPJ0502F	v.	Income Tax Officer – 19(1)(2) Matru Mandir, Tardev Road, Mumbai – 400 007
(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)-5, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 26.03.2019 for the A.Y. 2009-10.

2. Assessee through its authorized representative filed a letter through e-mail dated 23rd August, 2021 and submitted as under: -

"We would like to state that we have received hearing for appeal on 13/09/2021 for AY 2009-10 for M/s BJ Steel Centre (Babulal J Jain) but we would like to inform your honour that we have filed from no.1 under VVS Scheme for the above year and so we request your honour to kindly withdraw the appeal.

A COPY OF FORM 3 IS ENCLOSED HEREWITH."

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 Accepting the request of the assessee for withdrawal of appeal, this appeal is dismissed as withdrawn.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 In the result, appeal of the assessee is dismissed as withdrawn.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