

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

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

ITA NO. 1821/MUM/2020 (A.Y: 2007-08)

Mrs. Manju Kamollesh Nagdev A-101, Sparta CHS Hiranandani Estate Opp. Bhumi Acres Patlipada, Thane – 400607 Mumbai PAN: ABNPN3299C	v.	Income Tax Officer – 2(2) 2 nd Floor, Mohan Plaza Wayle Nagar, Khadakpada Kalyan (W), Mumbai – 421301
(Appellant)		(Respondent)

Assessee by	:	None
Department by	:	Shri Sanjay J. Sethi
Date of Hearing	:	27.09.2021
Date of Pronouncement	:	01.10.2021

ORDER

PER C.N. PRASAD (JM)

1. This appeal is filed by the assessee against order of Learned Commissioner of Income Tax (Appeals)–3, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 04.08.2020 for the A.Y. 2007-08.

2. Assessee filed a letter dated 4th September, 2021 and submitted as under: -

*"Re: Mrs. Manju Kamlesh Nagdev
PAN: ABNPN3299C
Assessment Year: 2007-08
ITA No. 1821 / MUM / 2020*

Sub: Informing about Declaration filed under the Direct Tax Vivad se Vishwas (VsV) Act, 2020 and Request for withdrawal of appeal

I am in receipt of notice for hearing of the captioned matter scheduled for hearing before the SMC bench of the Hon'ble Tribunal, Mumbai on 27th September, 2021.

In the matter, I would like to submit before the Hon'ble Registrar that I have opted for the Direct Tax Vivad se Vishwas (VsV) Scheme, 2020 and filed the declaration and undertaking under section 4 of the Direct Tax VsV Act, 2020 and applicable rules in FORM-1 & 2 on 30th January, 2021. In response to such declaration, I have been issued the Certificate under section 5(1) of the Direct Tax VsV Act, 2020 in FORM-3 on 12th February, 2021. Accordingly, I have paid the amount determined under the said Certificate and intimated about such payment by filing FORM-4 on 25th March, 2021. Copy of FORM-1&2, FORM-3, Challan for the payment made and FORM-4 are enclosed herewith.

Based on the above, I request the Hon'ble Registrar to consider this letter as my application for withdrawal of the captioned appeal filed before the Hon'ble Tribunal, in view of the declaration filed under the Direct Tax VsV Act, 2020."

3. On a perusal of the above letter filed by the assessee and enclosed copies of Form-3 it is noticed that assessee has already filed declaration and undertaking under Vivad Se Vishwas Scheme and received Form-3 and Form-4 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 on 01.10.2021 as per Rule 34(4) of ITAT Rules by placing the pronouncement list in the notice board.

Sd/-
(C.N. PRASAD)
JUDICIAL MEMBER
Mumbai / Dated 01.10.2021
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