

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCHES "D", MUMBAI**

BEFORE SHRI SAKTIJIT DEY (JM) & SHRI RAJESH KUMAR (AM)

**ITA No. 7673/MUM/2019
Assessment Year: 2012-13**

Shri Rakesh K. Uttamchandani, Karma CHSL, 9 th Floor, 901, 15 th Road, Plot No. 89, Bandra (West), Mumbai - 400050 PAN: AAAPU5842J	Vs.	Deputy Commissioner of Income Tax – 23(3), Piramal Chambers, Mumbai - 400013
(Appellant)		(Respondent)

Assessee by : None

Revenue by : Shri Bharat Andhle (DR)

Date of Hearing : 23/09/2021
Date of Pronouncement: 23/09/2021

ORDER

PER SAKTIJIT DEY, JM

This is an appeal by the assessee against order dated 13.08.2019 of learned Commissioner of Income Tax (Appeals)-34, Mumbai for the assessment year 2012-13.

2. When the appeal was taken up for hearing, no one was present for the assessee. However, the assessee has furnished letter dated 16.09.2021 requesting for withdrawal of the appeal, as he has opted for settling the dispute arising in the appeal under the Direct Tax Vivad Se Vishwas Act, 2020.

3. The learned Departmental Representative has no objection to the aforesaid request of the assessee.

4. Having heard learned Departmental Representative and perused the materials on record, we find that accepting assessee's declaration under the Vivad Se Vishwas Act, 2020, the designated authority has issued Form 5 on 12.06.2020.
5. In view of the aforesaid, we permit the assessee to withdraw the present appeal. Accordingly, appeal is dismissed as withdrawn.
6. In the result, appeal is dismissed.

Order pronounced in the open court on 23rd September, 2021.

Sd/-
(RAJESH KUMAR)
ACCOUNTANT MEMBER

Sd/-
(SAKTIJIT DEY)
JUDICIAL MEMBER

मुंबई Mumbai; दिनांक Dated: 23/09/2021

Alindra, PS

आदेश प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त (अपील) / The CIT(A)-
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /
DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार (Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai