

**IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "SMC" MUMBAI**

**BEFORE SHRI PRAMOD KUMAR (VICE PRESIDENT) AND
SHRI RAVISH SOOD (JUDICIAL MEMBER)**

**ITA No.1570/MUM/2020
(Assessment Year: 2008-09)**

M/s Addition Multitrading Pvt. Ltd.,
B-502, Veena Geet Sangeet
Gangotri, Sector 12 Mahavir Nagar,
Kandivali West, Mumbai – 400 067

Vs. ITO 12(1)(1)
Room No. 129A, 1st Floor,
Aayakar Bhavan,
Mumbai – 400 020

PAN No. AACCR5884N

(Assessee)

(Revenue)

Assessee by : None
Revenue by : Shri Milind Chavan, D.R

Date of Hearing : 02/11/2021
Date of pronouncement : 02/11/2021

ORDER

PER RAVISH SOOD, J.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-20, Mumbai, which in turn arises from the assessment order passed by the A.O under Sec. 143(3) r.w.s 147 of the Income-tax Act, 1961, dated 29.02.2016 for assessment year 2008-09.

2. The assessee company has filed before us a letter dated 09.09.2021, wherein it is stated that it has filed an application under the Direct Tax Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal and "Form 5" have been received from the designated authority. Backed by the aforesaid facts it is requested by assessee company that the captioned appeal may be allowed to be withdrawn.

3. The Id. D.R did not controvert the aforesaid factual position that was canvassed before us.

4. In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach the Tribunal for restoration of its appeal.

5. Resultantly, the appeal is dismissed as withdrawn subject to the observations recorded hereinabove.

Order pronounced in the open court on 02/11/2021

Sd/-
(Pramod Kumar)
VICE PRESIDENT

Sd/-
(Ravish Sood)
JUDICIAL MEMBER

Mumbai;

Dated: 02.11.2021

PS: Rohit

Copy of the Order forwarded to :

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

BY ORDER,
//True Copy//

(Sr. Private Secretary)
ITAT, Mumbai