

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

**BEFORE SHRI C.N. PRASAD, HON'BLE JUDICIAL MEMBER AND  
SHRI S. RIFAUR RAHMAN, HON'BLE ACCOUNTANT MEMBER**

**ITA NO. 5229/MUM/2017 (A.Y: 2011-12)**

M/s. Fugro Survey India Pvt. Ltd., Fugro House, Plot No. D-222/30 TTC Industrial Area MIDC, Nerul Navi Mumbai – 400706  <b>PAN: AAACF5243R</b>	v.	ACIT – Central Circle – 15(1)(1) Room No. 480 Aayakar Bhavan, M.K. Road Mumbai - 400020
<b>(Appellant)</b>		<b>(Respondent)</b>

<b>Assessee by</b>	<b>:</b>	<b>Shri Shalin S. Divatia</b>
<b>Department by</b>	<b>:</b>	<b>Shri Kiran Unavelkar</b>
<b>Date of Hearing</b>	<b>:</b>	<b>08.11.2021</b>
<b>Date of Pronouncement</b>	<b>:</b>	<b>08.11.2021</b>

**ORDER**

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

**1.** This appeal is filed by the assessee against order of Learned Commissioner of Income Tax (Appeals)–56, Mumbai [hereinafter in short "Ld.CIT(A)"] dated 06.04.2017 for the A.Y. 2011-12.

**2.** Assessee through its authorized representative filed a letter dated 22<sup>nd</sup> February, 2021 and submitted as under: -

*"Re: Fugro Survey (India) Pvt Ltd*

*Sub: Withdrawal of Appeal under ITAT Appeal No. 5229/M/2017 For A.Y.2011-12 pursuant to settlement of Dispute under the Direct Taxes - Vivad Se Vishwas Scheme, 2020.*

*With reference to the above and under instructions from our above client we submit as under:*

- 1. The Appellate assessee has opted for settlement of dispute forming the subject matter of the aforesaid Appeal under the Direct Taxes - Vivad Se Vishwas Act, 2020.*
- 2. Pursuant to the assessee's application the Pr. CIT, Mumbai-6, has issued Certificate dated 4<sup>th</sup> Feb 2021 in Form No.3 under Section 5(1) of the Direct Tax -Vivad Se Vishwas Scheme, 2020.2.*
- 3. As required under the said Act, the Appellant Assessee hereby withdraws the aforesaid Appeal and request you to kindly pass appropriate Orders for uploading on the Income Tax Portal. Form -3 under the Direct Taxes Vivad Se Vishwas Rules, 2020 is enclosed.*
- 4. We also enclose a copy of the letter from the appellant to that effect."*

**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 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 08.11.2021.

Sd/-  
**(S. RIFAUH RAHMAN)**  
**ACCOUNTANT MEMBER**

Mumbai / Dated 08.11.2021  
Giridhar, Sr.PS

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

**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**