

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

**BEFORE SHRI SHAMIM YAYHA, ACCOUNTANT MEMBER AND  
SHRI SAKTIJIT DEY, JUDICIAL MEMBER**

**ITA No. 685/MUM/2019  
Assessment Year: 2012-13**

M/s Hotel Horizon Private Limited, 37, Juhu Beach, Mumbai - 400049 PAN: AAACH2582F	<b>Vs.</b>	Income Tax Officer – 10(1)(4), Aayakar Bhavan, New Marine Lines, Mumbai - 400020
<b>(Appellant)</b>		<b>(Respondent)</b>

Assessee by : None

Revenue by : Manju Thakur (DR)

Date of Hearing : 08/11/2021

Date of Pronouncement: 08/11/2021

**ORDER**

**PER SAKTIJIT DEY, JM**

This is an appeal by the assessee against order dated 20.11.2018 of learned Commissioner of Income Tax (Appeals)-17, Mumbai for the assessment year 2012-13.

2. When the appeal was called for hearing, none appeared on behalf of the assessee. However, the Authorized Signatory of the assessee has furnished a letter seeking withdrawal of the appeal, as the assessee has opted for settling the dispute arising in the appeal under the Direct Tax Vivad Se Vishwas Act, 2020. Copies of Form 1 and 3 are also attached to the said letter.

3. We have heard learned Departmental Representative and perused the materials on record. Considering the fact that the assessee has opted for

settling the dispute under the Vivad Se Vishwas Scheme, 2020 and has sought withdrawal of the appeal, we permit the assessee to do so. Accordingly, appeal is dismissed as withdrawn.

4. In the result, appeal is dismissed.

Order pronounced in the open court on 8<sup>th</sup> November, 2021.

Sd/-  
(SHAMIM YAHYA)  
ACCOUNTANT MEMBER

Sd/-  
(SAKTIJIT DEY)  
JUDICIAL MEMBER

मुंबई Mumbai; दिनांक Dated: 08/11/2021

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.

सत्यापित प्रति //True Copy//

आदेशानुसार/ BY ORDER,

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