

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

**BEFORE SHRI VIKAS AWASTHY (JUDICIAL MEMBER) AND
SHRI AMARJIT SINGH (ACCOUNTANT MEMBER)**

**ITA No. 1652/MUM/2019
Assessment Year: 2013-14**

M/s Rohini Enterprises,
611, Tulsiani Chambers, Nariman
Point, Mumbai-400020.

ITO-17(3)(2),
Vs. Aayakar Bhavan,
Mumbai-400020.

PAN No. AALFR 8646 N
Appellant

Respondent

Assessee by : Mr. Bhupendra Shah, AR
Revenue by : Mr. Pankaj Kumar, DR

Date of Hearing : 08/12/2021
Date of pronouncement : 10/12/2021

ORDER

PER AMARJIT SINGH, A.M.

The present appeal is filed by the assessee against the order of the Commissioner of Income Tax (Appeals)-28, Mumbai [in short 'CIT(A)'] for the assessment year 2013-14 dated 01.02.2019 and arises out of assessment completed u/s 143(3) r.w.s. 147 of the Income Tax Act, 1961 (in short the Act).

2. At the outset, the Ld. AR submitted that assessee has preferred to settle the issue under Vivad Se Vishwas Act, 2020 and relevant information is filed by e-mail. He submitted that assessee has filed the necessary declaration under

Direct Tax Vivad se Vishwas Act, 2020 (Act 3 of 2020) and confirmed the receipt of Form No. 3.

3. The Ld. DR also did not object to course so suggested.
4. Heard the Ld. Departmental Representative and perused material on record. Considering the fact that the assessee has sought withdrawal of the present appeal, as it has applied for settling the dispute under Vivad Se Vishwas Scheme, 2020, and received the confirmation of Form No. 3. Therefore, we are inclined to dismiss the appeal as per assessee's request as withdrawn. In case for some reason, the Revenue dismiss the plea of the assessee under Vivad Se Vishwas Scheme, 2020, it can apply to restore the matter in due course.
5. In the result, the appeal filed by the assessee is dismissed as withdrawn.

Order pronounced in the open Court on 10/12/2021.

Sd/-
(VIKAS AWASTHY)
JUDICIAL MEMBER

Sd/-
(AMARJIT SINGH)
ACCOUNTANT MEMBER

Mumbai;

Dated: 10/12/2021.

Rahul Sharma, Sr. P.S.

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.

//True Copy//

BY ORDER,

(Dy./Assistant Registrar)
ITAT, Mumbai