

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

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

**ITA No.613/MUM/2019
(Assessment Year: 2015-16)**

J.K. Denim Fab Pvt. Ltd. ITO-10(2)(1)
8/9 Ravi Kiran, Ground Floor, Vs. Mumbai
Near Monginis, New Link Road,
Andheri (West),
Mumbai – 400 053

PAN No. AACJ7782R

(Assessee)

(Revenue)

Assessee by : Shri Nilesh Gupta
Revenue by : Shri Achal Sharma

Date of Hearing : 19/01/2022
Date of pronouncement : 27/01/2022

ORDER

PER AMARJIT SINGH, A.M:

The present appeal filed by the assessee is directed against the order passed by the CIT(A)-17, Mumbai, dated 27.12.2018, which in turn arises from the assessment order passed by the A.O under Sec. 143(3) of the Income-tax Act, 1961 dated 10.11.2017 for assessment year 2015-16.

2. At the time of hearing the Id. counsel of the assessee submitted that the assessee has opted this appeal for Vivad se Vishwas Act, 2020 in order to settle the aforesaid matter pending before the Tribunal. It is stated by the assessee that in the backdrop of the aforesaid facts the captioned appeal may be allowed to be withdrawn.

3. The Id. D.R did not controvert the aforesaid factual position as had been stated 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 In view of the above, we dismiss the appeal as withdrawn, subject to a rider that in the unlikely event of the matter not being resolved under the Vivad se Vishwas scheme the assessee shall have liberty to approach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 his appeal within the time limit provided in the Act.`

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 Resultantly, the appeal is dismissed as withdrawn subject to the observation recorded hereinabove.

Order pronounced in the open court on 27/01/2022.

Sd/-
(Amarjit Singh)
JUDICIAL MEMBER

Mumbai;

Dated: 27.01.2022

Rohit, Sr. P.S

Sd/-
(Amarjit Singh)
ACCOUNTANT MEMBER

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