

IN THE INCOME TAX APPELLATE TRIBUNAL
"B" Bench, Mumbai
Before Shri SHAMIM YAHYA, AM & Shri RAHUL CHAUDHARY, JM

I.T.A. No.4787/Mum/2013
(Assessment Year 2009-10)

Naimesh Mishra 204, 70/74, Saikripa KK. Marg, Jacob Circle Mumbai-410 011 PAN : AANPM5267C	Vs.	ITO-17(3)(3) Room No.613, Piramal Chambers Jijeebhai Lane Morriji Mills Parel Mumbai-400 012
(Appellant)		(Respondent)

Assessee by	None
Department by	Shri C.T.Mathews, Sr.AR
Date of Hearing	01.02.2022
Date of Pronouncement	12 .04.2022

ORDER

Per Shamim Yahya (AM) :-

This appeal by the assessee is directed against the order of learned Commissioner of Income Tax (Appeals)-29, dated 20.03.2013 and pertains to assessment year 2009-10.

2. This appeal was earlier disposed off by this Tribunal vide order dated 13.12.2017 and appeal was dismissed. Subsequently in MA order No.49/Mum/2021, the said order was recalled, since, the earlier order was an ex-parte order. Now, the assessee before us submits that assessee wishes to opt for Vivad Se Vishwas Scheme (VsV) for the disposal of appeal. Hence, wishes to withdraw the appeal.

3. We have heard the Id.DR and perused the record. Since, assessee has opted for withdrawal of appeal as assessee is settling the dispute under VsV scheme, we

dismiss this appeal as withdrawn as assessee has opted for settling the dispute under VsV Scheme

4. In the result, appeal by the assessee stands dismissed.

Pronounced in the open court on 12 .04.2022.

Sd/-
(RAHUL CHAUDHARY)
JUDICIAL MEMBER

Sd/-
(SHAMIM YAHYA)
ACCOUNTANT MEMBER

Mumbai; Dated : 12/04/2022
Thirumalesh, Sr.PS

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,

(Assistant Registrar)
ITAT, Mumbai