

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

**BEFORE SHRI OM PRAKASH KANT (ACCOUNTANT MEMBER) AND
SHRI RAHUL CHAUDHARY (JUDICIAL MEMBER)**

**ITA No. 1787/MUM/2020
Assessment Year: 2010-11**

Proma Industries Limited,
1803, Lodha Supremes, Saki Vihar
Road, Opp. MTNL Exchange, Powai,
Mumbai-400072.

PAN No. AAACP 6230 G

Appellant

Income Tax Officer-10(3)(4),
Room No. 554, 5th floor,
Aayakar Bhavan, M.K. Road,
Mumbai-400020.

Vs.

Respondent

Assessee by : None
Revenue by : Mr. B.K. Bagchi, DR

Date of Hearing : 25/04/2022
Date of pronouncement : 25/04/2022

ORDER

PER OM PRAKASH KANT, AM

This appeal has been preferred by the assessee against the order dated 11.03.2020 passed by the Ld. Commissioner of Income Tax (Appeals)-17, Mumbai [in short 'the Ld. CIT(A)'] in relation with penalty u/s 271(1)(c) of the Income Tax Act (in short 'the Act') levied by the Assessing Officer. The grounds raised by the assessee are reproduced as under :

1. *Under the facts and circumstances of the case and law, the Ld. CIT(A) erred in confirming penalty u/s 271(1)(c) of Rs.3,89,569/- made by the Assessing Officer.*

2. At the outset, the Ld. Counsel of the assessee submitted that issue in dispute has been settled under Vivad Se Vishwas Scheme and therefore, the assessee seeks to withdraw the appeal.

3. The Ld. Departmental Representative (DR) did not object. The request of the assessee withdrawing appeal has been placed on the file.

3.1 In view of the above, the assessee is allowed to withdraw its appeal and accordingly same is dismissed as withdrawn.

4. In the result, the appeal of the assessee is dismissed.

Order pronounced in the open Court on 25/04/2022.

Sd/-

**(RAHUL CHAUDHARY)
JUDICIAL MEMBER**

Sd/-

**(OM PRAKASH KANT)
ACCOUNTANT MEMBER**

Mumbai;
Dated: 25/04/2022
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,
(Sr. Private Secretary)
ITAT, Mumbai