

IN THE INCOME TAX APPELLATE TRIBUNAL "G" BENCH, MUMBAI
BEFORE SHRI PRASHANT MAHARISHI, AM AND SHRI PAVAN KUMAR GADALE, JM

ITA No. 6358/Mum/2019

(Assessment Year 2010-11)

Gajendra M. Mehta 161/163, Mahimtura Marg, 3 rd Kumbharwada Lane, Mumbai-400 004	Vs.	The Income Tax Officer, Ward 15(1)(1) R.No.219, 2 nd Floor, Tardeo Road, Mumbai-400007
(Appellant)		(Respondent)
PAN No. AFOPM7187H		

Assessee by	:	Shri Gajendra M. Mehta, AR
Revenue by	:	Shri Ajit K. Shrivastava, CIT DR

Date of hearing:	21.03.2022
Date of pronouncement :	31.05.2022

ORDER

PER PRASHANT MAHARISHI, AM:

01. This appeal is filed by assessee against the order passed by the Commissioner of income tax (appeals) – 30, Mumbai dated 21/6/2019 for assessment year 2010 – 11 raising following grounds of appeal:-

"The Learned Income Tax has erred in making addition of Rs. 52,24,675/- as undisclosed income without considering the facts of transactions and care.

2. The Learned Income Tax has erred in making addition of Rs. 7,837/- as undisclosed income without considering the facts of transactions and care.

3. On the facts and in the circumstances of the case, the appellant craves leave to add, alter, amend, modify and/or correct the grounds of appeal at or before the time of hearing.”

02. At the time of hearing, assessee submitted a letter dated 26th of August 2021 stating that assessee has already opted to settle the dispute Under Vivad Se Vishwas scheme 2020 and form number 3 has already been issued. Therefore assessee requested for the drawer of the appeal.
03. The learned departmental representative did not raise any objection to the above.
04. On careful consideration of the fact, we find that assessee has already opted for settlement of dispute involved in the appeal by filing declaration Under Vivad Se Viswas Scheme 2020 and form number 3 has been issued to the assessee. Therefore, appeal of the assessee is withdrawn on his request and hence dismissed.

Order pronounced in the open court on 31.05.2022.

Sd/-
(PAVAN KUMAR GADALE)
(JUDICIAL MEMBER)

Sd/-
(PRASHANT MAHARISHI)
(ACCOUNTANT MEMBER)

Mumbai, Dated: 31.05.2022

Sudip Sarkar, 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.

BY ORDER,

True Copy//

Sr. Private Secretary/ Asst. Registrar
Income Tax Appellate Tribunal, Mumbai