

IN THE INCOME TAX APPELLATE TRIBUNAL
"K" BENCH, MUMBAI

SHRI OM PRAKASH KANT, ACCOUNTANT MEMBER
SHRI RAHUL CHAUDHARY, JUDICIAL MEMBER

ITA No. 2705/MUM/2015
(ASSESSMENT YEAR: 2007-08)

M/s Chiron Behring Vaccines
Private Limited,
501, Shri Amba Shanti Chambers,
Andheri, Kurla Road, Andheri (East),
Mumbai - 400059
[PAN: AAACC6494P]

..... Appellant

Vs

The Deputy Commissioner of Income
Tax (OSD), Range, 8(1), Mumbai,
Aaykar Bhavan,
Mumbai - 400020

..... Respondent

Appearances

For the Appellant/ Assessee : Shri Harsh Sangoi
For the Respondent/Department : Shri Satya Pinisetty

Date of conclusion of hearing : 15.03.2022
Date of pronouncement of order : 13.06.2022

ORDER

Per Rahul Chaudhary, Judicial Member:

1. By way of the present appeal the Appellant/Assessee has challenged the order, dated 11.02.2015, passed by the Ld. Commissioner of Income Tax (Appeals)-55, Mumbai [hereinafter referred to as 'the CIT(A)'] under Section 250 of the Income Tax Act, 1961 [hereinafter referred to as 'the Act'] in appeal [CIT(A)-55/IT-165/ 2014-15,] for the Assessment Year 2007-08, whereby the Ld. CIT(A) had dismissed the appeal filed by the Appellant against the penalty order dated 30.03.2014, passed under section 271(1)(c) of the Act.

2. Ld. Authorised Representative for the Appellant appearing before us submitted that the quantum appeal for the Assessment Year 2007-08 has been settled under the provisions of Direct Tax Vivad Se Vishwas Act, 2020 (hereinafter referred to as 'the DTVSV Act'). In this regard, the Ld. Authorised Representative for the Appellant placed on record (a) declaration and undertaking in Form 1 wherein disclosure was made about the present appeal pertaining to levy of penalty under Section 271(1)(c) of the Act, (b) certificate in Form 3 issued under Section 5(1) of the DTVSV Act [Acknowledgement No. 233461100300121] and (c) order of full and final settlement of tax arrears under Section 5(2) read with Section 6 of the DTVSV Act [Acknowledgement No. 967685481240122] which clearly provides that, inter alia the Appellant has been granted immunity from imposition of penalty in terms of Section 6 of the DTVSV Act. In view of the aforesaid, the Ld. Authorised Representative for the Appellant requested for the withdrawal of the present appeal. The learned Departmental Representative did not have any objections to the aforesaid request.
3. In view of the above, the present appeal is dismissed as withdrawn.

Order pronounced on 13.06.2022.

Sd/-
(Om Prakash Kant)
Accountant Member

Sd/-
(Rahul Chaudhary)
Judicial Member

मुंबई Mumbai; दिनांक Dated : 13.06.2022
Alindra, PS

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त(अपील) / The CIT(A)-
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई / DR,
ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार /(Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai