

**IN THE INCOME TAX APPELLATE TRIBUNAL, 'SMC' BENCH  
MUMBAI**

**BEFORE: SHRI VIKAS AWASTHY, JUDICIAL MEMBER  
&  
SHRI M.BALAGANESH, ACCOUNTANT MEMBER**

**ITA No.2254/Mum/2019  
(Assessment Year :2010-11)**

|  |     |  |
|--|-----|--|
| Ms. Hemali P Porwal<br>B-604, Bhoomi Elegant<br>Thakur Complex<br>Kandivli (E)<br>Mumbai – 400 101 | Vs. | Income Tax Officer<br>23(2)(2)<br>Matru Mandir<br>Tardeo, Mumbai – 400 007 |
| <b>PAN/GIR No.ANMPP9779Q</b>   |     |  |
| <b>(Appellant)</b>   | ..  | <b>(Respondent)</b>  |

|                              |                           |
|------------------------------|---------------------------|
| Assessee by                  | Shri Gaurav Mehta         |
| Revenue by                   | Shri Vachashpati Tripathi |
| <b>Date of Hearing</b>       | <b>05/07/2022</b>         |
| <b>Date of Pronouncement</b> | <b>05/07/2022</b>         |
|                              |                           |

**आदेश / O R D E R**

**PER M. BALAGANESH (A.M.):**

This appeal in ITA No.2254/Mum/2019 for A.Y.2010-11 arises out of the order by the Id. Commissioner of Income Tax (Appeals)-48, Mumbai in appeal No.CIT(A)-48/IT-164/ITO 23(2)(2)/2018-19 dated 12/02/2019 (Id. CIT(A) in short) against the order of assessment passed u/s.143(3) r.w.s. 147 of the Income Tax Act, 1961 (hereinafter referred to as Act) dated 19/12/2017 by the Id. Income Tax Officer- 23(2)(2), Mumbai (hereinafter referred to as Id. AO).

2. We find that the Id. AR filed a letter dated 27/06/2022 mentioning that assessee had preferred an application under direct tax "Vivad Se Viswas Scheme 2020" to settle this tax dispute for the year under consideration and had obtained Form-5 from the designated authority thereon, copy of which was enclosed alongwith this letter. Ld. DR also agreed that the Form -5 has been received.

3. In view of this, we hereby dismiss the appeal pending before us.

**4. In the result, appeal of the assessee is dismissed as withdrawn.**

Order pronounced in the open Court on 05/07/2022.

**Sd/-  
(VIKAS AWASTHY)  
JUDICIAL MEMBER**

**Sd/-  
(M.BALAGANESH)  
ACCOUNTANT MEMBER**

Mumbai; Dated 05/07/2022

KARUNA, *sr.ps*

**Copy of the Order forwarded to :**

1. The Appellant
2. The Respondent.
3. The CIT(A), Mumbai.
4. CIT
5. DR, ITAT, Mumbai
6. Guard file.

//True Copy//

BY ORDER,

(Sr. Private Secretary / Asst. Registrar)  
ITAT, Mumbai