

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
MUMBAI BENCH “H”, MUMBAI**

**BEFORE SHRI KULDIP SINGH, JUDICIAL MEMBER  
AND  
SHRI GAGAN GOYAL, ACCOUNTANT MEMBER**

**ITA No.5854/M/2017  
Assessment Year: 2012-13**

Mr. Harsha Rajan Mehrotra, 18/63, Sliver Sands, Off Link Road, Oshiwara, Jogeshwari West, Mumbai – 400 012 <b>PAN: AFLPM1093B</b>	Vs.	Asst. Commissioner of Income Tax 31(1), Pratyakshakar Bhavan, Bandra Kurla Complex, Mumbai – 400 051
(Appellant)		(Respondent)

**Present for:**

Assessee by : None  
Revenue by : Shri Tejinder Pal Singh, D.R.

Date of Hearing : 12 . 07 . 2022  
Date of Pronouncement : 04 . 08 . 2022

**O R D E R**

**Per : Kuldip Singh, Judicial Member:**

**HEARD**

Assessee Mr. Harsha Rajan Mehrotra by filing the present appeal sought to set aside the impugned order dated 28.06.2017 passed by Commissioner of Income Tax (Appeals) [CIT(A)]-42, Mumbai challenging the disallowance of Rs.2,55,110/- claimed by the assessee as business expenditure; making the addition of Rs.5,39,000/- under section 50C of the Income Tax Act, 1961 (for short ‘the Act’) making addition for Rs.47,78,287/- for long term capital gain; making disallowance of Rs.19,395/- claimed by the

assessee on account of car insurance and making disallowance of Rs.45,113/- claimed by the assessee on account of service tax under section 43B of the Act.

2. However, at the very outset, it is brought to our notice that on 15.03.2022 assessee filed an application through its Chartered Accountant namely Mr. Lalit Munoyat stating therein that the issues raised in the present appeal stood settled as per Vivad Se Vishwas Scheme (VSVS) and assessee be allowed to withdraw the present appeal.

3. Keeping in view the application moved by the assessee present appeal filed by the assessee is allowed to be withdrawn claimed to have been settled under VSVS. However, in case of any technical reasons assessee is at liberty to get the present appeal restored by moving an application before the Tribunal.

**Order pronounced in the open court on 04.08.2022.**

**Sd/-  
(GAGAN GOYAL)  
ACCOUNTANT MEMBER**

**Sd/-  
(KULDIP SINGH)  
JUDICIAL MEMBER**

Mumbai, Dated: 04.08.2022.

\* Kishore, Sr. P.S.

Copy to: The Appellant  
The Respondent  
The CIT, Concerned, Mumbai  
The CIT (A) Concerned, Mumbai  
The DR Concerned Bench

//True Copy//

By Order

Dy/Asstt. Registrar, ITAT, Mumbai.