

Balaji G.
Panchal

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.2734 OF 2018

Vasundhara Shailesh Joshi

..Appellant

Versus

The Deputy Commissioner of Income Tax

Circle-2(1), Pune

..Respondent

Mr. Mandar Vaidya, Advocate for the Appellant.

Mr. Sham Walve, Advocate for the Respondent.

CORAM : UJJAL BHUYAN &
ABHAY AHUJA, JJ.

DATE : 16th DECEMBER, 2020

P.C.

1. Heard Mr. Mandar Vaidya, learned counsel for the appellant and Mr. Sham Walve, learned standing counsel revenue for the respondent.

2. This appeal has been filed under section 260A of the Income Tax Act, 1961 by the assessee as the appellant against the order dated 27.03.2018 passed by the Income Tax Appellate Tribunal, B Bench, Pune in ITA Nos.95 & 96/PUN/2016 for the assessment years 2009-10 & 2010-11.

3. Today, the appeal is listed on praecipe filed by learned counsel for the appellant.

4. It is submitted that parliament has enacted the Direct Tax Vivad Se Vishwas Act, 2020 providing for a scheme for resolution of tax disputes and for matters connected therewith and incidental thereto.

(2) - ITXA-2734-18.doc.

5. In terms of the said Act, appellant filed declaration under section 3 before the designated authority. Certificate under section 5(1) was issued by the designated authority on 13.08.2020 determining the tax payable at 'nil'. For passing of final order under section 5(2) appellant is required to withdraw the appeal under section 4(3). Hence, the prayer for withdrawal of the appeal.

6. Mr. Sham Walve, learned standing counsel revenue has no objection to the prayer for withdrawal.

7. Accordingly, we allow withdrawal of the appeal. Appeal is disposed of on withdrawal.

8. Refund as per rules.

9. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

ABHAY AHUJA, J

UJJAL BHUYAN, J