

Balaji G.
Panchal

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

INCOME TAX APPEAL NO.803 OF 2014

Hathway Investments Private Limited ..Appellant
Versus
The Additional Commissioner of Income Tax ..Respondent

Ms. Nikita Vardhan i/by Kanga & Co., for the Appellant.
Mr. Sham Walve h/f Mr. Arvind Pinto, for the Respondent.

CORAM : UJJAL BHUYAN &
ABHAY AHUJA, JJ.
DATE : 22nd DECEMBER, 2020

P.C.

1. Heard Ms. Nikita Vardhan, learned counsel for the appellant and Mr. Arvind Pinto, learned standing counsel revenue for the respondent.

2. This appeal under section 260A of the Income Tax Act, 1961 has been preferred by the assessee as the appellant assailing the legality and validity of the order dated 07.08.2013 passed by the Income Tax Appellate Tribunal, 'I' Bench, Mumbai in Income Tax Appeal Nos.4069 and 2406/Mum/2009 for the assessment year 1994-95.

3. The appeal was admitted for hearing by this Court on 28.06.2017 on the substantial questions of law framed therein.

4. Today, the appeal is taken on board on praecipe filed by the appellant.

5. Learned counsel for the appellant submits that during the pendency of the appeal, Parliament has enacted the Direct Tax Vivad se Vishwas Act, 2020 providing for a scheme for resolution of tax disputes. In terms thereof, appellant has filed declaration under section 3 before the designated authority. Designated authority has issued certificate under section 5(1). 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. Learned counsel for the respondent has no objection to the prayer made.

7. In view of the above, we allow withdrawal of the appeal. Appeal is accordingly disposed of as withdrawn.

8. Refund of court fee 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