IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL NO.572 OF 2017

Hathway Investments Private Limited … Appellant
Vs.
Dy. CIT-9(2), Mumbai and another … Respondents

Ms. Tasneem Zaveri i/b. Kanga & Co. for Appellant.
Mr. Suresh Kumar for Respondents.

CORAM : UJJAL BHUYAN &
ABHAY AHUJA, JJ.

DATE : JANUARY 05, 2021

P.C. :

Heard Ms. Zaveri, learned counsel for the assessee / appellant and Mr. Suresh Kumar, learned standing counsel Revenue for the respondents.

2. These appeals have been preferred under section 260-A of the Income Tax Act, 1961 by the assessee assailing the legality and validity of the order dated 17.06.2016 passed by the Income Tax Appellate Tribunal, Bench ‘H’, Mumbai in I.T.A. No.6406/Mum/2013 for the assessment year 2010-11.

3. Appeal was admitted by this Court on 11.06.2019.

4. The appeal has now been listed on *praecipe* filed by the appellant.

5. Ms. Zaveri submits that Parliament has enacted the Direct Tax *Vivad se Vishwas* Act, 2020 (briefly ‘the Act’ hereinafter) providing for a scheme for resolution of tax disputes. In terms of the said scheme, appellant has filed a declaration before the Designated Authority. However, before passing of final order under section 5(2) of the said

Act, appellant is required to withdraw the appeal in terms of section 4(3). Hence, the prayer for withdrawal of the appeal.

6. Mr. Kumar, learned standing counsel Revenue has no objection to the prayer made for withdrawal of the appeal.

7. Considering the above, we allow the appellant to withdraw the appeal.

8. Appeal is accordingly disposed of on withdrawal.

9. Refund as per Rules.

10. This order will be digitally signed by the Private Secretary 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.)**

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