R.M. AMBERKAR
(Private Secretary)

# IN THE HIGH COURT OF JUDICATURE AT BOMBAY
**O.O.C.J.**

## INCOME TAX APPEAL NO. 1170 OF 2018

Kalpana D. Vora .. Appellant

**Versus**

Income Tax Officer 16(1)(4), Mumbai & Anr. .. Respondents

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- Mr. Jitendra Singh for the Appellant
- Mr. Sham Walve for the Respondents

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**CORAM : UJJAL BHUYAN &**
**MILIND N. JADHAV, JJ.**

**DATE : FEBRUARY 1, 2021.**

**P.C.:**

Heard Mr. Jitendra Singh, learned counsel for the appellant and Mr. Sham Walve, learned standing counsel Revenue for the respondents.

**2.** This appeal under section 260A of the Income Tax Act, 1961 has been preferred by the assessee as the appellant against the order dated 22.08.2017 passed by the Income Tax Appellate Tribunal, "SMC" Bench, Mumbai in I.T.A. No. 2212/Mum/2017 for the assessment year 2009-10.

**3.** The appeal is pending for admission.

**4.** Today the appeal is before us on a *praecipe* filed by learned counsel for the appellant.

**5.** It is submitted 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. Appellant has filed a declaration under section 3 of the said Act before the Designated Authority which had thereafter issued a certificate under section 5(1) of the said Act on 06.01.2021. However, for passing of the final order under section 5(2) of the said Act, appellant is required to withdraw the appeal in terms of section 4(3) thereof. Hence, the prayer for withdrawal of the appeal.

**6.** Learned counsel for the respondents has no objection to the prayer made for withdrawal of the appeal.

**7.** Considering the above, we allow the appellant to withdraw the appeal. Accordingly, the appeal is disposed of as withdrawn.

**8.** Refund as per Rules.

**[ MILIND N. JADHAV, J. ]** **[ UJJAL BHUYAN, J. ]**

Ravindra M. Amberkar
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Date: 2021.02.02 11:25:29 +0530