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

INCOME TAX APPEAL NO.967 OF 2013

Sonrise Tea Processing Company Pvt. Ltd. ..Appellant
Versus
Deputy Commissioner of Income Tax
Circle-2, Kolhapur ..Respondent

Mr. Kumar Umaji Kale, Advocate for the Appellant.
Mr. Ashok Kotangle h/f Mr. N. N. Singh, Advocate for the Respondent.

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 2nd MARCH, 2021

P.C.

Heard Mr. Kumar Umaji Kale, learned counsel for the appellant and Mr. Ashok Kotangle, learned counsel for the respondent.

2. This appeal has been preferred by the assessee as the appellant under section 260A of the Income Tax Act, 1961 against the order dated 31.10.2012 passed by the Income Tax Appellate Tribunal, "B" Bench, Pune in ITA No.9/PN/2008 for the assessment year 2001-02.

3. The appeal was admitted by this Court by order dated 03.07.2014 on the substantial question of law framed in the said order.

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

5. It is stated that 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 the final order under section 5(2), appellant is required to withdraw the appeal under section 4(3) and to furnish proof of withdrawal along with intimation of payment, if any, to the designated authority. Hence, prayer for withdrawal of the appeal.

6. Learned counsel for the respondents has no objection to the prayer made.

7. Having regard to the above, we allow withdrawal of the appeal.

8. Appeal is accordingly disposed of as withdrawn.

9. Refund as per rules.

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