

R.M. AMBERKAR
(Private Secretary)

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

INCOME TAX APPEAL NO. 4074 OF 2010

Larsen & Toubro Infotech Limited

.. Appellant

Versus

Assistant Commissioner of Income Tax,
Circle - 2(2), Mumbai & Anr.

.. Respondents

-
- Mr. Atul Jasani for the Appellant.
 - Mr. Sham Walve h/f. Mr. P. C. Chhotaray for the Respondents.
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**CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.**

DATE : FEBRUARY 18, 2021.

P.C.:

Heard Mr. Jasani, learned counsel for the appellant and Mr. Walve, learned counsel holding for Mr.Chhotaray, 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 08.12.2009 passed by the Income Tax Appellate Tribunal, 'A' Bench, Mumbai in I.T.A. No. 3781/Mum/2008 for the assessment year 2003-04.

3. The appeal was admitted by this Court on 28.07.2011 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 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 on 30.12.2020 before the Designated Authority which has thereafter issued a certificate under section 5(1) of the said Act on 29.01.2021 determining the amount of tax payable by the appellant. 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 respondent 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 Accordingly, the appeal is disposed of as withdrawn.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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