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

WRIT PETITION NO.286 OF 2021

Minaxi K Mehta ..Petitioner
Versus
Income Tax Appellate Tribunal
Mumbai, Bench "D" & Ors. ..Respondents

Mr. Shashi Bekal, Advocate for the Petitioner.
Mr. Sham Walve, Advocate for the Respondents.

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 12th MARCH, 2021

P.C.

Heard Mr. Shashi Bekal, learned counsel for the petitioner and Mr. Sham Walve, learned standing counsel revenue for the respondents.

2. This petition under Article 226 of the Constitution of India challenging the legality and validity of order dated 30.01.2020 passed by respondent No.1 i.e. Income Tax Appellate Tribunal, "D" Bench, Mumbai for the assessment year 2008-09.

3. This writ petition is listed today on being mentioned by learned counsel for the petitioner.

4. It is submitted that Legislature has enacted the Direct Tax Vivad se Vishwas Act, 2020 providing for a scheme for resolution of tax disputes. In terms thereof, petitioner has filed declaration under section 3

before the designated authority. Designated authority has issued certificate under section 5(1) on 15.02.2021 determining the amount payable. For passing of the final order under section 5(2), petitioner is required to withdraw the petition 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 writ petition.

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

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

8. Writ petition is accordingly disposed of as withdrawn.

9. Refund as per rules.

Balaji G. Panchal Digitally signed by Balaji G. Panchal Date: 2021.03.15 11:00:31 +0530

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