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

INCOME TAX APPEAL NO.256 OF 2015

M/s. Bourbon Offshore ..Appellant
Versus
Assistant Director of Income Tax
International Taxation, Circle-3(2),
Scindia House, Ballard Pier,
N. M. Road, Mumbai-400 038 ..Respondent

Mr. Atul Jasani, Advocate for the Appellant.
Mr. Sham Walve, Advocate for the Respondent.

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

P.C.

1. Heard Mr. Atul Jasani, learned counsel for the appellant and Mr. Sham Walve, 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 20.11.2013 passed by the Income Tax Appellate Tribunal, “B” Bench, Mumbai in ITA No.5840/Mum/2012 for the assessment year 2009-10.

3. The appeal was admitted by this Court by order dated 31.10.2017 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 on 30.12.2020 before the designated authority. Designated authority issued certificate under section 5(1) on 15.01.2021 determining the amount payable at nil. 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 respondent 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 Appeal is accordingly disposed of as withdrawn.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**