

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

INCOME TAX APPEAL NO.714 OF 2019

Brenntag Ingredients (India) Private Limited ..Appellant  
Versus  
Assistant Commissioner of Income Tax 9(2) ..Respondent

Mr. Rajesh Poojary i/by Mint & Confreres, Advocate for the Appellant.  
Mr. Sham Walve h/f Mr. N. C. Mohanty, Advocate for the Respondent.

CORAM : UJJAL BHUYAN &  
MILIND N. JADHAV, JJ.  
DATE : 8<sup>th</sup> MARCH, 2021

P.C.

Heard Mr. Rajesh Poojary, learned counsel for the appellant  
and Mr. Sham Walve holding for Mr. N. C. Mohanty, 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  
28.12.2017 passed by the Income Tax Appellate Tribunal, "B" Bench, New  
Delhi in ITA No.1801/Del/2011 for the assessment year 2006-07.

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 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) on 12.01.2021. 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 Appeal is accordingly disposed of as withdrawn.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**