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

WRIT PETITION NO.1399 OF 2021

Clearwater Capital Partners (Cyprus) Ltd. ….Petitioner

V/s.

Commissioner of Income Tax,
(International Taxation), Circle – 2 & Anr. ….Respondents

Mr. P.J. Pardiwalla, Senior Advocate a/w. Mr. Nitesh Joshi and Mr. Hiten Chande i/b. Mint and Confreres for petitioner.
Ms. Shehnaz V. Bharucha for respondents-Revenue.

CORAM : K.R. SHRIRAM &
AMIT B. BORKAR, JJ.
DATED : 4th DECEMBER 2021

P.C. :

1 After the petition was heard for some time, Mr. Pardiwalla submitted that considering the reply filed by Revenue opposing the petition, petitioner would restrict their offer to settle only petitioner's appeal pending before CIT (A) bearing reference no.298121771300120 and would contest Revenue's appeal pending in this Court bearing Income Tax Appeal No.2785 of 2019 under the Direct Tax Vivad Se Vishwas Act, 2020 for Assessment Years 2011-2012. Infact petitioner had originally filed Form No.1 only to settle petitioner's appeal pending before CIT (A) but later when petitioner came to know that Revenue has also filed an appeal in this Court as mentioned above, petitioner filed revised Form No.1 on 30th January 2021.

2 In view of the statement made by Mr. Pardiwalla, Department is directed to issue fresh Form No.3 based on the original Form No.1 submitted

on 23rd December 2020. Revised Form No.3, indicating only the details under the first item in Form No.3 dated 10th March 2021 issued by Revenue, to be issued within two weeks from today and petitioner shall make the payment within two weeks thereafter.

3 Petition disposed accordingly.

(AMIT B. BORKAR, J.) **(K.R. SHRIRAM, J.)**