R.M. AMBERKAR
(Private Secretary)

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

INCOME TAX APPEAL NO. 1297 OF 2016

Fugro Subsea Services Ltd .. Appellant
Versus
Asst. Director of Income-tax (International Taxation)-3(2) .. Respondent

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- Ms. Jasmine Amalsadvala i/by Mint & Confreres for the Appellant
- Mr. Akhileshkumar Sharma for the Respondent

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CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.

DATE : JANUARY 20, 2021.

P.C.:

Heard Ms. Amalsadvala, learned counsel for the appellant and Mr. Sharma, learned standing counsel revenue for the respondent.

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 08.01.2016 passed by the Income Tax Appellate Tribunal, 'F' Bench, Mumbai in I.T.A. No. 1230/ Mum/2014 for the assessment year 2010-11.

3. The appeal was admitted by this Court on 31.01.2019 on the substantial questions 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 before the Designated Authority which had thereafter issued a certificate under section 5(1) of the said Act on 05.01.2021 determining the amount refundable to 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 Accordingly, the appeal is disposed of as withdrawn.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.]**