IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL NO.500 OF 2005
WITH
INCOME TAX APPEAL NO.512 OF 2005

Chhaganlal Kasturchand & Company Limited … Appellant
Vs.
Assistant Commissioner of Income Tax Circle 4(2) and another … Respondents

Ms. Tasneem Zaveri i/b. Kanga & Co. for Appellant.
Mr. Suresh Kumar for Respondents.

CORAM : UJJAL BHUYAN & ABHAY AHUJA, JJ.

DATE : JANUARY 05, 2021

P.C. :

Heard Ms. Zaveri, learned counsel for the assessee / appellant and Mr. Suresh Kumar, learned standing counsel Revenue for the respondents.

2. These appeals have been preferred under section 260-A of the Income Tax Act, 1961 by the assessee assailing the legality and validity of the order dated 29.04.2005 passed by the Income Tax Appellate Tribunal, Mumbai Bench 'I' in I.T.A. Nos.5165/Bom/92 and 1859/Bom/95 for the assessment years 1990-91 and 1991-92 respectively.

3. Appeals were admitted by this Court on 23.03.2009.

4. The appeals have now been listed on *praecipe* filed by the appellant.

5. Ms. Zaveri submits 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. In terms of the said scheme, appellant has filed declarations before the Designated Authority. However, before passing of final orders under section 5(2) of the said Act, appellant is required to withdraw the appeals in terms of section 4(3). Hence, the prayer for withdrawal of the appeals.

6. Mr. Kumar, learned standing counsel Revenue has no objection to the prayer made for withdrawal of the appeals.

7. Considering the above, we allow the appellant to withdraw the appeals.

8. Appeals are accordingly disposed of on withdrawal.

9. Refund as per Rules.

10. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(ABHAY AHUJA, J.) **(UJJAL BHUYAN, J.)**

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