S.S.Kilaje

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

INCOME TAX APPEAL NO. 2581 OF 2011
WITH
INCOME TAX APPEAL NO. 2601 OF 2011

Ravindranath S. Doddi .. Appellant

Versus

Assistant Commissioner of Income Tax, Central Circle -35, Mumbai & Anr. .. Respondents

....

- Mr. Jitendra Singh for the Appellant
- Mr. Sham Walve for the Respondents

....

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

DATE : JANUARY 12, 2021.

P.C.:

1. Heard Mr. Jitendra Singh, learned counsel for the appellant and Mr. Walve, learned standing counsel Revenue for the respondent.

2. Income Tax Appeal No. 2581 of 2011 under section 260-A of the Income Tax Act, 1961 has been preferred by the assessee as the appellant against the order dated 26.03.2010 passed by the Income Tax Appellate Tribunal, 'D' Bench, Mumbai in I.T.A. No. 2006/Mum/2009 for the assessment year 2006-07 and Income Tax Appeal No. 2601 of 2011 under section 260-A of the Income Tax Act, 1961 has been preferred by the assessee as the appellant against the order dated 26.03.2010 passed by the Income Tax Appellate Tribunal, 'D' Bench, Mumbai in I.T.A. No. 2005/Mum/2009 for the assessment year 2006-07

3. Both the appeals were admitted by this Court on 31.01.2013 on the substantial questions of law framed in the said orders.

4. Today the appeals are before us on *praecipes* 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 declaration under section 3 of the said Act before the Designated Authority which has thereafter issued a certificate under section 5(1) of the said Act on 16.12.2020. However, for passing of the final order under section 5(2) of the said Act, appellant is required to withdraw the appeals in terms of section 4(3) thereof. Hence, the prayer for withdrawal of the appeals.

6. Learned counsel for the respondent has no objection to the prayer made for withdrawal of the appeals.

7. Considering the above, we allow the appellant to withdraw the appeals. Accordingly, the appeals are disposed of as withdrawn.

8. Refund as per Rules.

9. 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.

[MILIND N. JADHAV, J.] **[UJJAL BHUYAN, J.]**

Ravindra M. Amberkar
Digitally signed by Ravindra M. Amberkar
Date: 2021.01.13 10:53:39 +0530