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

## INCOME TAX APPEAL NO.869 OF 2020

Youth Development Co-op Bank Ltd. ..Appellant
Versus
Asstt. Commissioner of Income-Tax,
Circle 1, Kolhapur & Anr. ..Respondents

Mr. Ruturaj Gurjar, Advocate for the Petitioner.
Mr. N. C. Mohanty, Advocate for the Respondents.

**CORAM : UJJAL BHUYAN &**
**MILIND N. JADHAV, JJ.**
**DATE : 10th MARCH, 2021**

**P.C.**

Heard Mr. Ruturaj Gurjar, learned counsel for the appellant and 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 29.03.2019 passed by the Income Tax Appellate Tribunal, “A” Bench, Pune in ITA No.2635/PUN/2016 for the assessment year 2012-13.

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 31.12.2020 determining the amount payable. 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 respondents 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 Appeal is accordingly disposed of as withdrawn.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**