S.S.Kilaje

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

INCOME TAX APPEAL NO. 222 OF 2020

Pr. Commissioner of Income Tax - 21, Mumbai .. Appellant
Versus
Archana Khaitan .. Respondent

....

- Mr. Sham Walve for the Appellant.
- Mr. Ryan Saldanha for the Respondent.

....

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

DATE : FEBRUARY 03, 2021.

P.C.:

Heard Mr. Sham Walve, learned counsel for the appellant and Mr. Ryan Saldanha, learned counsel for the respondent.

2. This appeal under section 260A of the Income Tax Act, 1961 has been preferred by the revenue as the appellant against the order dated 08.01.2019 passed by the Income Tax Appellate Tribunal, "A" Bench, Mumbai in ITA No. 584/Mum/2016 for the assessment year 2006-07.

3. The appeal is yet to be admitted.

4. On 19.01.2021, we had passed the following order.

> *"1. Heard learned counsel for the parties.*
>
> *2. Respondent/assessee seeks withdrawal of the appeal filed by the revenue in view of settlement under the Direct Tax Vivad Se Vishwas Act, 2020.*
>
> *3. The appeal is by the revenue and it is the revenue which has to withdraw the appeal. In this connection we have passed a detailed order today in Income Tax*

> *Appeal No.1544 of 2012 (OS).*
>
> *4. List these appeals along with Income Tax Appeal No.1544 of 2012 (OS) on 03.02.2021."*

5. Today Income Tax Appeal No. 1544 of 2012 (OS) has been disposed of on withdrawal by learned standing counsel on instructions. When the matter is called upon Mr. Walve, learned standing counsel, revenue submits on instruction that he would also like to withdraw the appeal.

6. In that view of the matter, appeal is disposed of as withdrawn.

7. Refund as per Rules.

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

Ravindra M. Amberkar Digitally signed by Ravindra M. Amberkar Date: 2021.02.04 17:14:05 +0530