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

INCOME TAX APPEAL NO.2661 OF 2018

Zakaulla Siddiqui ..Appellant
Versus
Asst. Commissioner of Income Tax & Anr. ..Respondents

Mr. A. R. Singh, Advocate for the Appellant.
Mr. Sham Walve, Advocate for the Respondents.

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 22nd FEBRUARY, 2021

P.C.

Heard Mr. A. R. Singh, learned counsel for the appellant and Mr. Sham Walve, learned counsel for the respondents.

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 26.02.2018 passed by the Income Tax Appellate Tribunal, "G" Bench, Mumbai in ITA No.304/Mum/2015 for the assessment year 2011-12.

3. The appeal is pending for admission.

4. Today the appeal is before us on 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 issued certificate under section 5(1) on 11.01.2021 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 Appeal is accordingly disposed of as withdrawn.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.

Balaji G. Panchal

Digitally signed by Balaji G. Panchal
Date: 2021.02.23 13:40:07 +0530

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