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

INCOME TAX APPEAL NO.1776 OF 2019

Shri. Bhaskar Eknath Avhad
(Since deceased through Lrs)
Mrs. Kamal Bhaskar Avhad & Ors. ..Appellants
Versus
Union of India & Ors. ..Respondents

Ms. Jagruti Patil i/by Mr. K. P. Shah, Advocate for the Appellants.
Mr. Sham Walve, Advocate for the Respondents.

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 8th MARCH, 2021

P.C.

Heard Ms. Jagruti Patil, 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 13.04.2018 passed by the Income Tax Appellate Tribunal, "A" Bench, Pune in M.A. No.32/Pun/2016 (arising out of order dated 30.11.2011 in ITA Nos.64 and 66 to 68/PN/2009 for the assessment year 2002-03 and 2004-05 to 2006-07.)

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). 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 Appeal is accordingly disposed of as withdrawn.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**