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

INCOME TAX APPEAL NO.1636 OF 2017

M/s Mahindra and Mahindra Limited … Appellant
V/s.
Additional Commissioner of Income Tax,
Range 2(2), Mumbai. … Respondent

Mr.Sanjiv Shah, Advocate for the Appellant.
Mr.Suresh Kumar, Advocate for the Respondent.

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : FEBRUARY 15, 2021.

P.C.:-

Heard Mr.Sanjiv Shah, learned counsel for the appellant; and Mr.Suresh Kumar, learned standing counsel, revenue for the respondent.

2. This appeal has been preferred under section 260A of the Income Tax Act, 1961 against the order dated 16th May, 2017 passed by the Income Tax Appellate Tribunal, "B" Bench, Mumbai in ITA No.3998/M/2010 for the assessment year 2000-01.

3. The appeal is pending for admission.

4. Learned counsel for the appellant submits that during the pendency of the appeal Parliament has enacted the Direct Tax Vivad Se Vishwas Act, 2020 providing for a scheme for resolution of tax disputes. Appellant had filed a declaration under section 3 of the said Act before the Designated Authority which Authority has issued certificate under section 5(1) on 30th January, 2021 determining the amount of tax refundable to the

appellant which is Rs.22,88,10,735/-. For passing of final order under section 5(2) of the said Act, appellant is required to withdraw the appeal under section 4(3). Hence, the prayer for withdrawal.

5. Learned counsel for the respondent has no objection to the prayer made.

6. In view thereof, we allow the prayer for withdrawal. Consequently, the appeal is disposed of on withdrawal.

7. Refund of court fee as per rules.

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

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