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

INCOME TAX APPEAL NO.68 OF 2011

Chandbibi Zaidi ..Appellant
Versus
Asst. Commissioner of Income Tax & Anr. ..Respondents

Mr. Jitendra Singh, Advocate for the Appellant.
Mr. Sham Walve, Advocate for the Respondents.

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 19th JANUARY, 2021

P.C.

Heard Mr. Jitendra Singh, learned counsel for the appellant and Mr. Sham Walve, learned standing counsel revenue 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 13.08.2010 passed by the Income Tax Appellate Tribunal, "C" Bench, Mumbai in ITA No.1655/Mum/2009 for the assessment year 2002-03.

3. The appeal was admitted by this Court by order dated 04.01.2012 on the substantial questions of law framed in the said order.

4. The appeal is before us today 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 a certificate under section 5(1) of the said Act on 14.12.2020. 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 respondent 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 Appeal is accordingly disposed of as withdrawn.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.

10. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

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