R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO. 2877 OF 2018

Dorf Ketal Chemicals LLC .. Appellant
Versus
Dy. CIT, Central Circle-45, Mumbai .. Respondent

....
- Mr. Rajesh Poojary i/by Mint & Conferers for the Appellant
- Mr. Sham Walve for the Respondent

....

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

DATE : FEBRUARY 1, 2021.

P.C.:

Heard Mr. Rajesh Poojary, learned counsel for the appellant and Mr. Sham Walve, learned standing counsel Revenue for the respondent.

2. This appeal under section 260A of the Income Tax Act, 1961 has been preferred by the assessee as the appellant against the order dated 22.03.2018 passed by the Income Tax Appellate Tribunal, 'D' Bench, Mumbai in I.T.A. No. 4189/ Mum/2013 for the assessment year 2009-10.

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 submitted that Parliament has enacted the Direct Tax *Vivad se Vishwas Act, 2020* (briefly 'the Act' hereinafter) providing for a scheme for resolution of tax disputes. Appellant has filed a declaration under section 3 of the said Act before the Designated Authority on which had thereafter issued a certificate under section 5(1) of the said Act on 30.12.2020 determining the amount payable by the appellant. However, for passing of the final order under section 5(2) of the said Act, appellant is required to withdraw the appeal in terms of section 4(3) thereof. Hence, the prayer for withdrawal of the appeal.

6. Learned counsel for the respondent has no objection to the prayer made for withdrawal of the appeal.

7. Considering the above, we allow the appellant to withdraw the appeal. Accordingly, the appeal is disposed of as withdrawn.

8. Refund as per Rules.

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

Ravindra M. Amberkar

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Date: 2021.02.02 11:31:56 +0530