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

INCOME TAX APPEAL NO.388 OF 2019

NTUC Income Insurance Co-operative Ltd. ..Appellant
Versus
Deputy Director of Income Tax ..Respondent

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

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 21st JANUARY, 2021

P.C.

1. Heard Mr. Jitendra Singh, learned counsel for the appellant and Mr. Sham Walve, learned counsel for the respondent.

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 23.05.2018 passed by the Income Tax Appellate Tribunal, "B" Bench, Mumbai in ITA No.4443/Mum/2015 for the assessment year 2005-06.

3. The appeal is pending for admission.

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 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 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 Appeal is accordingly disposed of as withdrawn.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.

MILIND N. JADHAV, J UJJAL BHUYAN, J