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

INCOME TAX APPEAL NO.114 OF 2017

Mahindra Holdigs Limited ..Appellant
Versus
Income Tax Officer 2(2)(3) ..Respondent

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

CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.
DATE : 17th FEBRUARY, 2021

P.C.

1. Heard Mr. Sanjiv Shah, learned counsel for the appellant and Mr. Suresh Kumar, 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 24.05.2016 passed by the Income Tax Appellate Tribunal, "B" Bench, Mumbai in ITA No.2832/Mum/2012 for the assessment year 2008-09.

3. The appeal was admitted by this Court by order dated 12.03.2019 on the substantial question 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 certificate under section 5(1) determining the amount refundable to the appellant. 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 Appeal is accordingly disposed of as withdrawn.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**