VARINDER SINGH
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Punjab & Haryana High Court at Chandigarh

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ITA No. 240 of 2012 (O&M)

Date of decision : 18.1.2021

M/s Sunder Forging .... Appellant

versus

Commissioner of Income Tax, Ludhiana and another ... Respondents

Coram: Hon'ble Mr. Justice Jaswant Singh
Hon'ble Mr. Justice Sant Parkash

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

Present Mr. Alok Mittal, Advocate, for the applicant-appellant.

<u>Jaswant Singh, J. (Oral)</u>

The appellant-assessee has filed the instant appeal under Section 260-A of the Income Tax Act, 1961 (for short, 'the Act'), against the order dated 17.5.2012 passed by the Income Tax Appellate Tribunal, Chandigarh Bench, Chandigarh, whereby the penalty of Rs. 33,72,850/- imposed by the Assessing Officer under Section 271-(1)(c) of the Act for the assessment year 2008-09 was upheld while partly allowing the appeal filed by the Revenue.

The appeal stands admitted vide order dated 7.5.2015 passed by this Court.

Now CM No. 362-CII of 2021 has been filed by the applicant-appellant seeking permission to withdraw the appeal with liberty to approach the respondent-department in order to settle the dispute under the "Direct Tax Vivad Se Vishwas Act, 2020".

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Notice of the application.

Mr. Rajesh Katoch, learned Senior Standing Counsel accepts notice on behalf of the respondent-department and states that he has no objection to the prayer made in the application.

On the oral request made by learned counsel for the applicant-appellant, which is not objected to by learned counsel for Revenue, the main appeal is taken up for hearing today itself.

In view of the above, CM No. 362-CII of 2021 is allowed and ITA No. 240 of 2012 is dismissed as withdrawn with liberty to the applicant-appellant to approach the respondent-department in order to settle the dispute under the "Direct Tax Vivad Se Vishwas Act, 2020".

(Jaswant Singh)
Judge

18.1.2021
vs/joshi

(Sant Parkash)
Judge

Whether speaking/ reasoned Yes/No

Whether Reportable Yes/No