IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

Tax Case Appeal No.884 of 2014

Swarnalatha Ravi ... Appellant

Vs.

The Assistant Commissioner of Income Tax,
Company Circle III (4), Chennai.
... Respondent

Tax Case Appeal filed under Section 260A of the Income Tax Act, 1961 against the order of the Income Tax Appellate Tribunal, "C" Bench, Chennai dated 12.05.2014 passed in I.T.A.No.539/Mds/2014 against the order of the Commissioner of Income Tax Appeals III, Chennai, dated 30/10/2013 passed in Appeal No.1707/2013-14 against the order dated 28.02.2013 by the Assistant Commissioner of Income Tax, Company Circle III(4), Chennai - 34, for the Assessment year 2010-11, u/s 143(3) of the Income Tax Act in PAN.No.AFAPS7366G.

For Appellant : Mr.R.Sivaraman

For Respondent : Mrs.V.Pushpa
Standing Counsel

J U D G M E N T

(Judgment of the Court was delivered by R. MAHADEVAN, J.)

This tax case appeal has been filed by the appellant / assessee, challenging the order dated 12.05.2014 passed by the Income Tax Appellate Tribunal, 'C' Bench, Chennai, in I.TA.No.539/Mds/2014, relating to the assessment year 2010-11.

2.By order dated 18.11.2014, this court admitted the aforesaid tax case appeal on the following substantial question of law:

"Whether on the facts and in the circumstances of the case, the Income Tax Appellate Tribunal was right in law in holding the addition of Rs.60,50,000/- as unexplained case deposit under Section 68 of the Act?"

3.When the matter was taken up for consideration, the learned counsel appearing for the appellant / assessee submitted that during the pendency of this tax case appeal, the assessee has availed the benefit conferred under the Direct Tax Vivad Se Vishwas Act, 2020 and filed necessary declarations, which were accepted and Form 5 / order for full and final settlement of tax arrears, was also issued by the Income tax department, on 08.12.2021. The learned counsel has also filed Form 5 dated 08.12.2021 to that effect.

4.The aforesaid submission made by the learned counsel for the appellant/assessee has also been fairly conceded by the learned standing counsel appearing for the respondent/ Revenue.

5.In view of the subsequent development, this court is of the opinion that nothing survives for adjudication in this appeal. Recording the submission so made by the learned counsel on either side, the Tax Case Appeal stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

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To

1. The Income Tax Appellate Tribunal,
   "C" Bench, Chennai.

2. The Commissioner of Income - tax (Appeals) - III,
   Chennai – 34.

3. The Assistant Commissioner of Income Tax,
   Company Circle III (4), Chennai.

Copy to
The Section Officer,
VR Section,
High Court, Madras - 104.

+1cc to Mr.M.S.Swaminathan, Advocate, S.R.No.33166

Tax Case Appeal No.884 of 2014

SSN[co]
NSK/04/07/2022