

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

**NOTICE OF MOTION NO. 514 OF 2014
IN
REVIEW PETITION (L) NO. 10 OF 2014
IN
INCOME TAX APPEAL NO. 292 OF 2011**

WITH

**NOTICE OF MOTION NO. 516 OF 2014
IN
REVIEW PETITION (L) NO. 11 OF 2014
IN
INCOME TAX APPEAL NO. 295 OF 2011**

The Director of Income Tax (Exemption) ..Applicant

Vs.

Ghatkoper Jolly Gymkhana ..Respondent

....
Mr. Suresh Kumar, Advocate for Applicant.
None for Respondent.

....

**CORAM : M.S. SANKLECHA &
G.S. KULKARNI, JJ.
DATED : 6 FEBRUARY 2015**

P.C.:

1. This Notice of Motion has been taken out seeking condonation of 370 days in filing the Review Petition.
2. The affidavit in support merely list out the manner in which the file traveled from own desk to another in the office of Income Tax

Department. The period between 4th February 2013 to 9th July 2013 has been explained as being spent in having approached its office in Delhi for filing of SLP from the order of this Court dated 4th February 2013. The applicants were informed on 9th July 2013 by their office in Delhi that instead of filing of SLP, a recall petition may be filed in the High Court. Thereafter the present Notice of Motion alongwith Review Petition were filed on 12 March 2014.

3. We find that the Revenue has made no attempt to explain the reason for the delay. Moreover the period from the date of receiving the review petition from its Counsel on 20 November 2013 upto 20 March 2014 no attempt to even explain the manner in which the file traveled in the office of the Income Tax Department is made.

4. Accordingly, we see no reason to condone the delay. Notice of Motion dismissed.

[G.S. KULKARNI, J]

[M.S. SANKLECHA, J.]