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

INCOME TAX APPEAL NO.848 OF 2013

M/s. Bombay Mudibazar Kariana
Merchant's Association

..Appellant

-Versus-

Commissioner of Income Tax-X

..Respondent

.....

Ms. Rutuja Pawar i/b. S. C. Tiwari & Ms. Natasha Mangat for the
Appellant.

Mr. Arvind Pinto for the Respondent.

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**CORAM: S. C. DHARMADHIKARI AND
A. K. MENON, JJ.**

DATE :- 8th APRIL, 2015.

PC.:

Heard both sides. In compliance of our earlier order, the Appellant's advocate has approached the Registry and sought discharge as an advocate for the Appellant.

2] In accordance with the rules, the Registry has sought an affidavit of the Appellant's advocate and has been filed. That records as to how despite repeated communications, the Appellant has not responded and given instructions to the advocate. Even the proposed withdrawal of the advocate was notified to the Appellant, M/s. Bombay Mudibazar Kariana Merchant's Association and they are in receipt of the packet in that behalf.

Despite notice, neither the Appellant in this Appeal has appeared before the Registry official nor today before this Court. We discharge the advocate for the Appellant and in terms of the Registry's directions. The name of the advocate Mr. S. C. Tiwari shall stand deleted. Since the Appellants is absent and no representatives of the same are present in court, we have no alternative but to dismiss the Appeal for want of prosecution. We have repeatedly adjourned this Appeal as the Appellant has failed to turn up. In these circumstances, this Appeal is dismissed for want of prosecution.

(A. K. MENON, J.)

(S. C. DHARMADHIKARI, J.)