

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1005 OF 2014
IN
INCOME TAX APPEAL (LODG) NO.875 OF 2014

Somerset Place Co-operative Housing Society Ltd. ...Applicant.

In the matter between

Somerset Place Co-operative Housing Society Ltd. ...Appellant

V/s.

Income Tax Officer 16(2)(1). ...Respondents.

Ms.A.Vissanji i/b. Mr.S.J.Mehta, for the Applicant.

Mr.Ashok Kotangle with Mr.Arjun Nagarajan, for Respondents.

**CORAM: M.S.SANKLECHA, &
G.S. KULKARNI, JJ.**

DATE: 13th February,2015

P.C.

1. We have heard this Notice of Motion alongwith Notice of Motion No.1004 of 2014. In this Notice of Motion the applicant has prayed for condonation of delay of 2223 days in filing the above appeal challenging the order dated 8.10.2007 which is passed by the Tribunal in an appeal filed by the applicant for the Assessment year 2001-02. The learned Counsel for the applicant states that the grounds on which the applicant seeks condonation of

delay are similar to one raised in Notice of Motion No.1004 of 2014, in which the applicant has sought condonation of delay by 1825 days in filing an appeal against the orders dated 31.10.2008 by the Tribunal for the Assessment Year 2003-04. By our order dated 13th February,2015 in Notice of Motion No.1004 of 2014 and for the reasons recorded therein we have refused to entertain the said Notice of Motion.

2. In view of our observations as made in the order dated 13th February,2015 passed in Notice of Motion No.1004 of 2014, we cannot entertain this Notice of Motion. Notice of Motion is accordingly rejected. No order as to costs.

(G.S.KULKARNI, J.)

(M.S.SANKLECHA, J.)