

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

NOTICE OF MOTION NO. 3313 OF 2005
IN
NOTICE OF MOTION NO. 1427 OF 2002
IN
INCOME TAX APPEAL (L) NO. 468 OF 2002

The Commissioner of Income-Tax .. Appellant

v/s.

M/s. Binani Metals Ltd. ..Respondent

None for the appellant

**CORAM : M.S. SANKLECHA &
G.S. KULKARNI, J.J.
DATED : 4th DECEMBER, 2015.**

P.C.

1. This motion is taken out in the year 2005, seeks recall of order dated 12th February, 2004. No steps seem to have been taken by the appellant to have the matter heard for all these years. Today also, none appears on behalf of the appellant. This notice of motion was on notified on today's board as far back as 27th November, 2015 with following remarks :-

“No adjournment will be granted for any reason in said

matters and the Court's shall proceed to hear these matters and pass necessary orders.”

2. However, none appears. It seems that the appellant is not interested in pursuing the motion. Accordingly, the Notice of Motion is dismissed.

(G.S. KULKARNI, J.)

(M.S. SANKLECHA, J.)