

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

**NOTICE OF MOTION NO. 789 OF 2016
IN
NOTICE OF MOTION NO. 473 OF 2015
IN
REVIEW PETITION (L) NO. 51 OF 2014
IN
CENTRAL EXCISE APPEAL NO. 226 OF 2013**

S. P. Cotton Mills	}	Appellant
versus		
The Commissioner of Central	}	
Excise, Mumbai - I and Anr.	}	Respondents

Mr. H. R. Shetty i/b. M/s. H. R. Shetty and
Associates for the applicant/appellant.

Mr. Swapnil Bangur with Ms. Ruju R.
Thakkar for the respondents.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- SEPTEMBER 26, 2016

P.C. :-

1. At the request of Mr. Shetty and after hearing him and Mr. Bangur, we allow this notice of motion (NMA/789/2016). It is made absolute in terms of prayer clauses (a) and (b).

2. With the consent of both sides, we restore Notice of Motion No. 473 of 2015 to the file of this court, which is moved for condoning the delay in filing the review petition. We have taken

it on today's board. We have heard both sides and perused the affidavit in support. We find that the reasons recorded therein constitute sufficient cause for the delay in filing the review petition. We allow this notice of motion. The delay in filing the review petition is condoned. No costs.

3. The review petition be listed on 10th October, 2016.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)