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

NOTICE OF MOTION NO.645 OF 2016
IN
INCOME TAX APPEAL NO. 748 OF 2015
WITH
NOTICE OF MOTION NO.646 OF 2016
IN
INCOME TAX APPEAL NO. 745 OF 2015
WITH
NOTICE OF MOTION NO.647 OF 2016
IN
INCOME TAX APPEAL NO. 744 OF 2015
WITH
NOTICE OF MOTION NO.648 OF 2016
IN
INCOME TAX APPEAL NO. 743 OF 2015
WITH
NOTICE OF MOTION NO.650 OF 2016
IN
INCOME TAX APPEAL NO. 747 OF 2015

Commissioner of Income Tax-2 .. Applicant

In the matter between
Commissioner of Income Tax-2 .. Appellant

v/s.
Central Bank of India .. Respondent

Mr. A.R. Malhotra a/w Mr. Suresh Kumar for the applicant
Mr. Tejas Shah for the respondent

CORAM : M.S. SANKLECHA &
A.K. MENON, J.J.

DATED : 1st APRIL, 2016.

P.C.

1. These Notices of Motion have been taken out by the applicants for setting aside the order dated 8th October, 2015 passed by the Prothonotary and Senior Master for non-removal of office objections under Rule 986 of the Bombay High Court (Original Side) Rules and to condone the delay of 109 days in filing the present Notices of Motion.

2. We have perused the affidavit-in-support of the notices of motion and find that there was some difficulty in locating the documents which had to be filed consequent to the objections. It was this delay in locating the documents that led to non removal of the office objections within the stipulated time and also in taking out the present notice of motion.

3. Mr. Malhotra, learned Counsel for the Revenue states that the documents which were not available are now available.

4. In the above view, we condone the delay of 109 days in taking out the present notice of motion as well as set aside the order dated 8th October, 2015 passed by the Prothonotary and Senior Master.

5. It is made clear that the applicants should remove the office

objections and have the Appeals numbered within two weeks from today, failing which this order stands vacated without further reference to the Court.

(A.K. MENON, J.) **(M.S. SANKLECHA, J.)**