

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

**NOTICE OF MOTION NO. 2271 OF 2015  
IN  
INCOME TAX APPEAL NO. 807 OF 2014**

|                                                  |               |
|--------------------------------------------------|---------------|
| Darashaw & Company Pvt. Ltd.                     | .. Applicant  |
| In the matter of                                 |               |
| Darashaw & Company Pvt. Ltd.                     | .. Applicant  |
| v/s.                                             |               |
| The Dy. Commissioner of Income Tax<br>Range 4(1) | .. Respondent |

Mr. R.R. Saldhana for the applicant  
Mr. A.R. Malhotra a/w N.A. Kazi for the respondent

**CORAM : M.S. SANKLECHA &  
B.P. COLABAWALLA, J.J.**

**DATED : 29<sup>th</sup> JANUARY, 2016.**

**P.C.**

1. This notice of motion has been taken out for condonation of 183 days delay in filing the accompanying appeal from the impugned order dated 12<sup>th</sup> June, 2013 passed by the Income Tax Appellate Tribunal (Tribunal).

2. We have perused the additional affidavit in support of the Notice of Motion and we find that the delay was on account of the fact that the petitioners were prosecuting its Miscellaneous Application before the Tribunal in respect of the impugned order dated 12<sup>th</sup> June, 2013. This

Miscellaneous Application was disposed of by the Tribunal on 18<sup>th</sup> March, 2014 and the appeal in this Court has been filed on 11<sup>th</sup> April, 2014.

3. We are satisfied with the reasons set out in the additional affidavit in support of the notice of motion for the delay of 183 days in filing the appeal.

4. Accordingly, Notice of Motion is allowed in terms of prayer clause (a).

**(B.P. COLABAWALLA, J.)**

**(M.S. SANKLECHA, J.)**