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

NOTICE OF MOTION NO. 2140 OF 2016
IN
INCOME TAX APPEAL (L) NO. 347 OF 2016

India Infoline Ltd. .. Applicant
In the matter between
M/s. India Infoline Ltd. .. Appellant
v/s.
Principal Commissioner of Income Tax-12
Mumbai .. Respondent

Ms. Rutuja Pawar i/b S.C. Tiwari for the applicant / org. appellant
None for the respondent

CORAM : M.S. SANKLECHA &
S.C. GUPTE, J.J.

DATED : 2nd SEPTEMBER, 2016.

P.C.

1. This Notice of Motion has been taken out to set aside the order dated 7th July, 2016 rejecting the applicant's petition for non-removal of office objections under Rule 986 of the Bombay High Court (Original Side) Rules, 1980.

2. The reasons in support of the notice of motion point out that the last date of removal of office objection was 4th August, 2016. However, the advocate and the petitioner mistakenly believed that the time would expire on 5th August, 2016. Therefore, she sought to remove the

office objections on 5th August, 2016, at which time, she was informed that the time to remove the office objection has already expired. Thus, the failure to remove the office objections within time resulted in rejection of the petition. We are satisfied with the reasons set out in the affidavit in support of the motion.

3. In the above view, Notice of Motion is made absolute in terms of prayer clause (a).

4. Ms. Pawar, learned Counsel appearing for the applicant undertakes to remove the office objections within a period of two weeks from today. It is made clear that if the office objections are not removed within stipulated time, the appeal shall stands dismissed without further reference to the Court.

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