

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9984 OF 2015

IN

TAX APPEAL NO. 42 of 2003

Smt. Sulochana Purushottam Gindodiya

..APPLICANT

VERSUS

The Income Tax Officer, Ward No.2(8), Pune & another

...RESPONDENTS

Mr Parag V. Barde, Advocate for applicant.

Mr Alok Sharma, Advocate for respondents

CORAM : PRASANNA B. VARALE, AND
SUNIL K. KOTWAL, JJ.

DATE : 18th December 2017

ORAL ORDER :

Heard Mr Barde, learned Counsel for the applicant. Mr Barde submits that at the relevant time, when the appeal was filed, he was associated with the learned Senior Counsel Mr Shah and there was some communication gap. As such, the appeal was unattended. Resultantly, the same was dismissed in default. Mr Barde submits that absence before this Court was purely unintentional and due to communication gap. Thus, Mr Barde prays for restoration of the appeal.

2. Mr Barde, learned Counsel for the applicant, then submitted that two days delay is caused in filing application and the delay is unintentional.

3. Mr Alok Sharma, learned Counsel appearing for the respondents, opposes the application.

4. In view of submissions of Mr Bade, learned Counsel for the applicant, and for the reasons stated in the application, delay occurred in filing application seeking restoration of the Tax Appeal, is condoned. Appeal is restored.

5. The appeal be posted for further consideration on 22nd January 2018.

(SUNIL K. KOTWAL)
JUDGE.

(PRASANNA B. VARALE)
JUDGE.

Madkar