

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

CIVIL APPLICATION NO. 1760 of 2017
IN
INCOME TAX APPEAL (STAMP) No. 23060 of 2016
WITH CA/1761/2017 IN ITAST/23060/2016

Sahebrao Govind Todmal

...**APPLICANT**

VERSUS

The Income Tax Officer, Ward No.3, Ahmednagar...**RESPONDENT**

Mr R.M. Sharma and Mr D.S. Ladda, Advocates for applicant
Mr Alok Sharma, Advocate for respondent.

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

DATE : 18th December 2017

ORAL ORDER :

Heard Mr. R.M. Sharma, learned Counsel appearing for the applicant-appellant. Mr Sharma submitted that the application is filed for condonation of delay of 45 days caused in filing the Tax Appeal. Mr Sharma submitted that the appellant-applicant has raised substantial grounds for challenging the impugned order dated 30th November 2015. The learned Counsel submits that there is demand of amount to the tune of Rs. 23,16,000/-. He further submitted that

though the applicant wanted to take immediate steps so as to file an appeal before this Court but for an accident, the applicant-appellant was unable to take necessary steps immediately. The applicant-appellant was undergoing medical treatment as the applicant suffered fracture and he was under the medical treatment for considerable period. Mr Sharma submitted that the delay caused in filing appeal is purely for unintentional and bonafide reasons.

2. Mr Alok Sharma, learned Counsel appearing for the respondent opposes the application.

3. In view of the submissions of Mr R.M. Sharma, learned Counsel for the applicant-appellant and for the reasons stated in the application, more particularly in paragraph No. 2, application is allowed. Delay caused in filing the appeal is condoned.

4. Post the matter for Admission on 22nd January 2018.

(SUNIL K. KOTWAL)
JUDGE.

(PRASANNA B. VARALE)
JUDGE.

Madkar