**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.895 OF 2017**

**IN**

**CENTRAL EXCISE APPEAL (L) NO.293 OF 2016**

The Commissioner of Service Tax- VII .... Applicant
Mumbai

In the matter between

The Commissioner of Service Tax- VII .... Appellant
Mumbai

Vs.

M/s Arpana Automotive Pvt. Ltd. .... Respondent

Mr. Vipul Bajpayee for the Applicant.
Mr. R.G. Sheth a/w Ms. Pinki D. Chainam for the Respondent.

**CORAM : S.V. GANGAPURWALA AND G.S. KULKARNI, JJ.**

**DATE : 23 JUNE, 2017**

**PER COURT :**

We have heard the learned counsel for the Applicant and the learned counsel for the Respondent.

2 Learned counsel for the Respondent opposes the Notice of Motion. The facts stated in the affidavit-in-service of the Notice of Motion stand un-controverted as no affidavit is filed.

3 For the reasons stated in the affidavit supporting the Notice of Motion, the Motion is allowed. The delay of 121 days caused in filing the Appeal is condoned. The Motion is accordingly disposed of. No costs.

( **G.S. KULKARNI, J.**) (**S.V. GANGAPURWALA, J.)**