

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

**NOTICE OF MOTION NO. 723 OF 2017
IN
NOTICE OF MOTION NO. 463 OF 2016
IN
CENTRAL EXCISE APPEAL (L) NO. 374 OF 2014**

The Commissioner of Central
Excise, Pune .. Applicant

In the matter between

The Commissioner of Central
Excise, Pune .. Appellant
v/s.

M/s. Tetra Pak (India) Pvt. Ltd. .. Respondent

Mr. Swapnil Bangur a/w Mr. Joel J. Carlos for the applicant
None for the respondent

**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, J.J.**

DATED : 7th JULY, 2017

P.C.

1. The notice of motion is moved for condonation of delay of 358 days in filing the appeal. The learned Counsel for the applicant states that the respondent is served and the copy of the affidavit of service is also filed on record.

2. For the reasons stated in the affidavit accompanying the notice of motion, the notice of motion is allowed. Delay is condoned.

3. The Notice of Motion is accordingly allowed and disposed of.
No costs.

(A.M. BADAR, J.)

(S.V. GANGAPURWALA, J.)