

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

**NOTICE OF MOTION NO.790 OF 2017
IN
INCOME TAX APPEAL (L) NO.796 OF 2017**

Sumitomo Chemical India Pvt. Ltd. Applicant
In the matter between
Sumitomo Chemical India Pvt. Ltd. Appellant

Vs.

Commissioner of Income-Tax-3, Mumbai.... Respondent

Mr. Atul K. Jasani, Advocate for the Applicant.
None for the Respondent.

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

DATE : 23 JUNE, 2017

PER COURT :

Heard the learned counsel for the Applicant.

2 For the reasons stated in the affidavit supporting the Notice of Motion, the Motion is allowed. Delay caused in filing the appeal is condoned. Motion is accordingly disposed of. No costs.

3 The learned counsel for the Applicant, on instructions, states that he has instructions to withdraw the appeal. In view of that, the Appeal is disposed off as withdrawn. No costs.

4 Court fees be refunded as per rule.

(G.S. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)