

pmw

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1201 OF 2017
IN
CUSTOMS APPEAL (L) NO.120 OF 2015**

Vinit Dubey	
M/s. C. Subbu Reddy & Co.	... Applicant
Vs.	
Union of India and Ors.	... Respondents

Mr. Vatsal B. Hansali i/by C. Subba Reddy & Co. for the Applicant.
Mr. Swapnil Bangur for the Respondents.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 19th SEPTEMBER, 2017

PC.

1 Heard the learned counsel appearing for the applicant and
the learned counsel appearing for the respondent.

2 The appeal preferred by the applicant has been rejected by
the learned Prothonotary and Senior Master by order dated 31st March,
2016 in exercise of powers under Rule 986 of the Bombay High Court
(Original Side) Rules.

3 In view of the averments made in the affidavit in support
and in particular paragraphs 8 to 11, a case for restoration is made out.

4 Accordingly, the notice of motion is made absolute in terms of prayer clause (a) subject to condition of the applicant removing all office objections in the Appeal within a period of six weeks from today. On the failure of the applicant to remove all office objections within the stipulated time, order of rejection of the appeal shall stand.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)