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FARAD CONTINUATION SHEET No.

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

NOTICE OF MOTION NO.2691 OF 2016 IN
CENTRAL EXCISE APPEAL (L)NO.98 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Swapnil Bangur i/b Mr.Sham Walve for the Applicant
Mr.Prabhakar Shetty for the Respondent.

CORAM : A.S.OKA, &
RIYAZ I. CHAGLA,JJ.
DATE : AUGUST 14, 2017

P.C.

1 Heard the learned counsel for the applicant and the learned counsel for the respondent who has opposed the Notice of Motion. Perused the affidavit in support. There appears to be a delay in submitting a proposal to the Chief Commissioner of Service Tax for seeking permission to prefer an appeal.

2 Considering the statements made in the affidavit in support, delay deserves to be condoned. However, the applicant will have to be saddled with costs.

3 Accordingly, Notice of Motion is made absolute in terms of prayer clause (a) subject to the applicant paying costs of Rs.10,000/- to the respondent. The amount of costs shall be paid within a period of six weeks from today. Payment of costs will be a condition precedent.

(RIYAZ I. CHAGLA,J.)

(A.S.OKA,J.)