IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1849 OF 2016
IN
CENTRAL EXCISE APPEAL {L} NO.39 OF 2015

Commissioner, Service Tax, Mumbai-VII .... Applicant
In the matter between
Commissioner, Service Tax, Mumbai-VII .... Appellant
Vs.
M/s Landmark Education India .... Respondent

Ms Shalaka A. Gujar Karande for the Applicant/Appellant.
Mr. Jas Sanghavi i/by M/s. PDS Legal for the Respondent.

CORAM: S.C. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.

DATE : APRIL 17, 2017

P.C:

1. This is Revenue's notice of motion.

2. The Revenue lodges an appeal in this Court way back in 2015.

3. From the time it is lodged, the Revenue did not remove the office objections. The objections were raised because

there is no compliance with the Bombay High Court (Original Side) Rules, 1980. Consequently, the Registry dismissed the appeal itself by refusing registration.

4. Thereafter, this present notice of motion was moved. The notice of motion to set aside such an order also was dismissed for want of compliance with the procedural rules, that is because a conditional order was passed by this Court granting time to comply with the procedural rules. Within that time no compliance was reported. Hence, the proceedings stood dismissed.

5. Now, it is stated that the Revenue has changed the Panel of Advocates and the new Panel of Advocates will take prompt steps to comply with the procedural rules.

6. Only upon such an assurance, we grant final opportunity to the Revenue. This notice of motion is made absolute in terms of prayer clauses (a) and (b). There will be no order as to costs.

(PRAKASH D. NAIK, J.) (S.C. DHARMADHIKARI, J.)