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

NOTICE OF MOTION NO.3035 OF 2016
IN
CENTRAL EXCISE APPEAL {L} NO.108 OF 2014

The Commissioner of Central Excise,
Pune-III Commissionerate, Pune .... Applicant
Now
The Commissioner of Service Tax, Pune
In the matter between
The Commissioner of Central Excise,
Pune-III Commissionerate, Pune .... Appellant
Now
The Commissioner of Service Tax, Pune
Vs.
M/s. Chitrali Properties Pvt. Ltd. .... Respondent

Mr. Swapnil Bangur with Mr. Sham V. Walve for the Applicant/Appellant.
Mr. Sagar A. Kulkarni for the Respondent.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : MARCH 06, 2017

P.C:

1. After having heard Mr. Bangur, appearing for the applicant/appellant, and on noticing the further affidavit of

none other than the Commissioner of Service Tax, Pune who has owned up the lapse on the part of the Department as also assured the Court that all remedial measures had been taken and would be strictly enforced and implemented, at least during his tenure, we allow this notice of motion. We condone the delay. The notice of motion is made absolute in terms of prayer clauses (a) to (c). This order does not mean that any prior lapse for which the motions have been dismissed as no sufficient cause was provided to seek quashing and setting aside of the earlier conditional orders would be revived and no opportunity would be given to revive those appeals which already stand dismissed.

2. The notice of motion accordingly stands disposed of.

(B.P. COLABAWALLA, J.) (S.C. DHARMADHIKARI, J.)