IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 377 OF 2018
IN
INCOME TAX APPEAL (LODG) NO. 2315 OF 2017

Pr. Commissioner of Income
Tax, Central-2 ....Applicant
(Original Appellant)

IN THE MATTER BETWEEN :

Pr. Commissioner of Income
Tax, Central-2 ....Appellant
V/s.
Nahar Enterprises ....Respondent

* * * * *

Mr. A.K. Saxena, Advocate for the applicant-original appellant.

Mr. D.V. Deokar a/w. Ms. Jasmine Upadhaye i/by. Parimal K. Shroff and Co. Advocate for the respondent.

CORAM :- M.S. SANKLECHA, &

SANDEEP K. SHINDE, JJ.

DATE :- 6TH JULY, 2018.

P.C. :-

1. This application has been taken out to condone

3 days delay in filing the accompanying Appeal from the order dated 15th May, 2017 passed by the Income Tax Appellate Tribunal ("the Tribunal).

2. We have perused the Affidavit in support of the Motion dated 29th January, 2018 filed by the Deputy Commissioner of Income-Tax. We are satisfied with the reasons indicated therein for the delay caused in filing the accompanying Appeal. Accordingly, the Notice of Motion is allowed in terms of prayer clause (a).

3. The applicant is directed to remove office objections within a period of 4 weeks from today failing which the Appeal would stand dismissed without further reference to the Court.

(SANDEEP K. SHINDE, J) **(M.S. SANKLECHA, J)**