IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 261 OF 2018
IN
INCOME TAX APPEAL (L) NO. 2592 OF 2017

The Commissioner of Income
Tax, Central Circle-4(3),
Central Range-4 ....Applicant/
Orig. Appellant

IN THE MATTER BETWEEN :

The Commissioner of Income
Tax, Central Circle-4(3),
Central Range-4 ....Appellant

V/s.
Kumar Satur Nathani ....Respondent

* * * * *

Mr. A.K. Saxena a/w. Ms. Pratima Singh, Advocate for the applicant-original appellant.

CORAM :- M.S. SANKLECHA, &

SANDEEP K. SHINDE, JJ.

DATE :- 5TH APRIL, 2018.

P.C. :-

1. Mr. Saxena, appearing for the applicant-in-support of the Motion, states that the respondent has

been served and undertakes to file affidavit of service on/or before 10th April, 2018.

2. This application seeks condonation of 2 days delay in filing the accompanying Appeal from the order dated 3rd May, 2017 passed by the Income Tax Appellate Tribunal ("the Tribunal).

3. We have perused the Affidavit dated 6th February, 2018 of the applicant-Mr. Pankaj Mehta, Deputy Commissioner of Income-Tax, in support of the Motion. We are satisfied with the reasons indicated therein for the delay in filing the accompanying Appeal. Accordingly, the Notice of Motion is allowed in terms of prayer clause (a).

4. 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)**