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

NOTICE OF MOTION NO. 385 OF 2018
IN
INCOME TAX APPEAL (L) NO. 1366 OF 2017

The Pr. Commissioner of Income Tax,
Central-2, Mumbai .. Applicant

In the matter between
The Pr. Commissioner of Income Tax,
Central-2, Mumbai .. Appellant

v/s.
Vijay Grihnirman Pvt. Ltd. ..Respondent

Ms. Padma Divakar for the applicant / orig. appellant
None for the respondent

**CORAM : M.S. SANKLECHA &**
**SANDEEP K. SHINDE, J.J.**

**DATED : 22nd JUNE, 2018.**

**P.C.**

1. Ms. Divakar, learned Counsel for the applicant states that the respondent is served. None appears inspite of service.

2. This application has been taken out for condonation of 111 days delay in taking out this motion to set aside the self-operating order dated 7th September, 2017 passed by the Prothonotary and Senior Master rejecting the petition for failure to have removed the office

objections on or before 5th October, 2017 under Rule 986 of the Bombay High Court (O.S.) Rules.

3. We have perused the additional affidavit of Mr. Girindra Pratap Singh, Deputy Commissioner of Income Tax dated 18th June, 2018 in support of the motion. We are satisfied with the reasons indicated therein.

4. Accordingly, the Notice of Motion is allowed in terms of prayer clauses (a) and (b).

5. Needless to state that if the office objections are not removed within a period of four weeks from today, the appeal shall stands dismissed without further reference to the Court.

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