

Sharayu Khot.

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

NOTICE OF MOTION NO. 270 OF 2018

IN

CENTRAL EXCISE APPEAL (L) NO. 129 OF 2017

**Venkateshwara Hatcheries Private
Limited**

**...Applicant/
Appellant**

Versus

**The Commissioner of Central Excise,
Pune III**

...Respondent

Mr. Chirag Shetty, i/by Economic Laws Practice, for the
Applicant/Appellant.

Mr. Sham Walve, a/w Mr. Ram Ochani, for the Respondent.

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, JJ.**

DATE : 30 August 2018

ORDER :

1. This Motion has been taken out for condonation of

199 days delay in filing the Appeal from the impugned Order dated 21st October 2016 passed by the Customs, Excise & Service Tax Appellate Tribunal.

2. We have perused the Affidavit of Shri. Balu Gaikwad dated 3rd March 2018 in support of the Motion and note that the delay took place on account of the fact that the Applicant was prosecuting a rectification Application before the Tribunal in respect of the impugned order dated 21 October 2016.

3. In the above view, Shri. Walve, the learned Counsel appearing for the Respondent-Revenue does not object to the condonation of delay.

4. Accordingly, Notice of Motion is allowed in terms of prayer clause (a).

[RIYAZ I. CHAGLA J.]

[M.S. SANKLECHA, J.]