IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 266 OF 2018
IN
INCOME TAX APPEAL NO. 704 OF 2016

Institute of Chemical Technology .. **Applicant (Orig. Appellant)**

IN THE MATTER BETWEEN

Institute of Chemical Technology .. **Appellant**

VERSUS

The Asstt. Commissioner of Income Tax (exemption)I(1), Mumbai. .. **Respondent**

....

Mr. Nishant Thakkar i/b Sanjay Kulkarni for Applicant/Orig. Appellant.
Mr. Suresh Kumar for Respondent.

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CORAM : M.S. SANKLECHA & SANDEEP K. SHINDE, JJ.
DATE : 29 JUNE, 2018

P.C. :-

1) This motion has been taken out for early hearing of the Income-Tax appeal filed under Section 260A of the Income Tax Act, 1961(Act) against the order dated 28th October, 2015 of the Income Tax Appellate Tribunal (Tribunal). Alternatively a stay of the impugned order dated 28th October, 2015 of Tribunal is sought till

the appeal is taken up for admission.

2) This application has been taken out because its appeals for the assessment years 2011-12, 2012-13 and 2013-14 are posted for hearing before Tribunal on 24th July, 2018. The fear is that, in the absence of the impugned order dated 28th October, 2015 being stayed the tribunal may follow the same and decide the identical issues which arise in the above appeals for assessment years 2011-12, 2012-13, 2013-14. We are already taking up matters pertaining to the year 2016.

3) Therefore, we grant early hearing of the appeal and post this appeal for admission on 18th July, 2018.

4) Motion disposed of in above terms.

[SANDEEP K. SHINDE, J.] **[M.S. SANKLECHA, J.]**

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