IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 413 OF 2018
IN
INCOME TAX APPEAL (LODG) NO. 2028 OF 2017

The Commissioner of Income
Tax, International Taxation-1 ....Applicant
(Original Appellant)

IN THE MATTER BETWEEN :

The Commissioner of Income
Tax, International Taxation ....Appellant
V/s.
Atomstroyexport ....Respondent

* * * * *

Mr. Tejinder Singh, Advocate for the applicant-original appellant.

Mr. Arsh Misra a/w. Ms. Khusbhoo Agarwal i/by. M.V. Kini & Co., Advocate for the respondent.

CORAM :- M.S. SANKLECHA, &

SANDEEP K. SHINDE, JJ.

DATE :- 15TH JUNE, 2018.

P.C. :-

1. This application seeks condonation of 91 days

delay in taking out this application for setting aside the order dated 16th November, 2017 passed by the Prothonotary & Senior Master under Rule 986 of the Bombay High Court (Original Side) Rules for non-removal of office objections.

2. We have perused the affidavit-in-support of the Notice of Motion and are satisfied with the reasons stated therein for the delay in taking out this application, as well as, non-removal of office objections in time. Accordingly, the Notice of Motion is allowed in terms of prayer clauses (a) and (b).

3. It is made clear that, if the office objections are not removed within a period of four weeks from today, the Appeal would stand dismissed without further reference to the Court.

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