

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

**NOTICE OF MOTION NO. 411 OF 2018
IN
CENTRAL EXCISE APPEAL (L) NO. 7 OF 2018**

C.P. Premkumar Nair .. Applicant

In the matter between

C.P. Premkumar Nair .. Appellant

v/s.

Customs, Excise & Service Tax Appellate
Tribunal & Anr. ..Respondents

Mr. Ramnath Prabhu I/b P.K. Shetty for the applicant / orig. appellant
Mr. Sham Walve a/w Mr. Ram Ochani for the respondents

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

DATED : 21st SEPTEMBER, 2018.

P.C.

1. This motion has been taken out for condonation of 138 days delay in filing the appeal from the order dated 16th February, 2017 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal).

2. We have perused the affidavit in support of the motion filed by the applicant and also an additional affidavit of Mr. G.R. Dandekar,

(Senior Excise Manager of the company in which the applicant was working as an employee) dated 10th September, 2018 and are satisfied with the reasons indicated therein for condonation of delay.

3. Mr. Walve, learned Counsel appearing for the respondent does not oppose the application for condonation of delay.

4. In the above view, the motion is allowed in terms of prayer clause (a).

(RIYAZ I. CHAGLA, J.)

(M.S. SANKLECHA, J.)