

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

**NOTICE OF MOTION NO. 409 OF 2018  
IN  
CENTRAL EXCISE APPEAL (L) NO. 5 OF 2018**

Kopran Ltd. .. Applicant

In the matter between

Kopran Ltd. .. 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 : 21<sup>st</sup> SEPTEMBER, 2018.**

**P.C.**

1. This motion has been taken out for condonation of 135 days delay in filing the appeal from the order dated 16<sup>th</sup> February, 2017 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal).

2. We have perused the affidavit of Mr. G.R. Dandekar, Senior Excise Manager of the company, dated 9<sup>th</sup> April, 2018. In the affidavit

it is stated that the impugned order of the Tribunal was received on 28<sup>th</sup> February, 2017 and the Officer Mr. M.S. Siddesha, looking after this issue left the applicant on 15<sup>th</sup> April, 2017. Thus, the delay. We are satisfied with the reasons indicated 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.)**