

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 229 OF 2018
IN
WRIT PETITION NO. 506 OF 1996

Federation of Bank of India Officers
Association

.. Applicant

IN THE MATTER BETWEEN

Federation of Bank of India Officers
Association & Anr.

.. Petitioners

VERSUS

Union of India & Anr.

.. Respondents

...

Mr. Rahul Tambe I/b Integral for applicant/Orig. petitioner.
Ms. Neha Shah a/w Mr. Rushabh Sheth I/b M/s. Bodhanwalla & Co.
for respondent no. 4.
Mr. P.C. Chhotaray for respondent No. 3

...

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

P.C. :-

1. Mr. Tambe seeks to amend the title of the motion by substituting the name of respondent No. 3 from the Chief Commissioner of Income Tax to Commissioner of Income Tax TDS officer. The amendment to be carried out forthwith. Re-verification dispensed with.

2. This motion has been taken out to recall the order dated 10th April, 2018 which was dismissed for non-prosecution.

3. We have perused the affidavit in support of the motion and are satisfied with the reasons stated therein for non appearance on 10th April, 2018 leading to the dismissal of the petition for non-prosecution. We restore this petition as matter of last chance. This petition has been dismissed on two earlier occasions for non-prosecution. It is made clear that, if the petitioners or the advocates do not appear at the time when this matter called out the petition would be dismissed with cost.

4. Motion allowed in terms of prayer clause (a).

[SANDEEP K. SHINDE, J]

[M.S. SANKLECHA, J]