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

NOTICE OF MOTION NO. 424 OF 2018
IN
INCOME TAX APPEAL (L) NO. 1272 OF 2017

The Pr. Commissioner of Income Tax-23 .. Applicant

In the matter between
The Pr. Commissioner of Income Tax-23 .. Appellant

v/s.
Diamond Investments and Properties ..Respondent

Ms. Padma Divakar for the applicant / orig. appellant
None for the respondent

CORAM : M.S. SANKLECHA &
SANDEEP K. SHINDE,
J.J.

DATED : 28th JUNE, 2018.

P.C.

1. Ms. Divakar, learned Counsel for the applicant states that the respondent is served. None appears for the respondent despite service.

2. This application has been taken out for condonation of 205 days delay in taking out this motion to set aside the self-operating order dated 24th August, 2017 passed by the Prothonotary and Senior Master rejecting the petition for failure to have removed the office objections on or before 21st September, 2017 under Rule 986 of the Bombay High

Court (O.S.) Rules.

3. We have perused the affidavit of Ms. Sangeeta R. Rao, Income Tax Officer, dated 25th April, 2018 in support of the motion. We are satisfied with the reasons indicated therein.

4. Accordingly, the Notice of Motion is allowed in terms of prayer clauses (a) and (b).

5. Needless to state that if the office objections are not removed within a period of four weeks from today, the appeal shall stands dismissed without further reference to the Court.

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