

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

INCOME TAX APPEAL NO. 386 OF 2008

The Commissioner of Income Tax-9

Mumbai

.. Appellant

v/s.

Ellel Hotels and Investments Ltd.

..Respondent

None for the appellant

Mr. Atul Jasani for the respondent

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

DATED : 18th JULY, 2018.

P.C.

1. When this appeal was called out earlier, none appeared in support of the appeal. Therefore, the appeal was kept back. On being called the second time also none appeared in support of the appeal.

2. It appears that the appellant is not interested in prosecuting the present appeal. This is more particularly so as the parties and advocates were put to notice on 6th June, 2018 that this appeal would be taken up for consideration today.

3. Accordingly, the appeal is dismissed for non-prosecution.

(SANDcEEP K. SHINDE J.)

(M.S. SANKLECHA, J.)