

Sharayu Khot.

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

**NOTICE OF MOTION NO. 754 OF 2018
IN
CENTRAL EXCISE APPEAL (L) NO. 176 OF 2018**

V.H. Patel & Co.

**...Applicant/
Appellant**

Versus

**The Commissioner of CGST & Central
Excise**

...Respondent

Ms. Ankita Vashistha, i/by UBR Legal, for the
Applicant/Appellant.

Mr. Pradeep S. Jetly, a/w Mr. J.B. Mishra, for the Respondent.

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

DATE : 25 October 2018

ORDER :

1. This Motion seeks condonation of 261 days delay in

filing the Appeal from the impugned Order dated 5th May 2017 passed by the Customs, Excise & Service Tax Appellate Tribunal.

2. We have perused the Affidavit of Shri. Nilay Patel, Partner of the Appellant dated 3rd August 2018 in support of the Motion. The delay is on account of the Applicant bonafide prosecuting the Miscellaneous Application for rectification which came to be dismissed on 31st January 2018.

3. Shri. Jetly, the learned Counsel appearing for the Revenue, does not oppose the allowing of the present Application.

4. In the above view, the Motion is allowed and the delay is condoned.

[RIYAZ I. CHAGLA J.]

[M.S. SANKLECHA, J.]