

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

**NOTICE OF MOTION NO. 635 OF 2018
IN
INCOME TAX APPEAL NO.108 OF 2008**

M/s. Panchratna Co-p. HSG Ltd.	.. Applicant
In the matter between	
M/s. Panchratna Co-p. HSG Ltd.	.. Appellant
v/s.	
Assessing Officer, Mumbai	.. Respondent

Mr. Sumit Mohalkar I/b Pillai & Co. for the applicant / orig. appellant
None for the respondent

**CORAM : AKIL KURESHI &
M.S. SANKLECHA, J.J.**

DATED : 14th DECEMBER, 2018.

P.C.

1. None appears despite service. Mr. Mohalkar, learned Counsel for the appellant states that the respondent has been served and undertakes to file affidavit in service within one week from today.
2. This motion has been taken out to recall the order dated 16th July, 2018 dismissing the applicant's appeal for non-prosecution. We have perused the affidavit in support of the motion and are satisfied with the reasons indicated therein.
3. In the above view, the impugned order dated 16th July, 2018 passed by this Court is restored to the file. Motion is allowed in terms of prayer clause (a).

(M.S. SANKLECHA, J.)

(AKIL KURESHI, J.)