IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 261 OF 2009

Shri. Sudhakar T. Pendse ....Appellant
V/s.
Income Tax Officer, Mumbai ....Respondent

* * * *

Mr. K. Gopal alongwith Mr. Tanmay Phadke, Advocate for the appellant.

CORAM :- M.S. SANKLECHA, &
SANDEEP K. SHINDE, JJ.

TUESDAY, 7TH AUGUST, 2018.

P.C. :

1. Mr. Gopal, Learned Counsel appearing in support of the Appeal, states that the appellant has passed away on 2nd December, 2010 and his legal heir, one Dilip Pendse also passed away on 5th July, 2017. In the above view, he is unable to obtain any instructions. Accordingly, the Appeal is dismissed for non-prosecution.

2. However, it is clarified that, in case any person claiming an interest in the estate of the appellant and/or his son, Dilip Pendse, approaches this Court with an appropriate application, the same would be considered on its own merits.

3. Appeal dismissed for non-prosecution.

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