

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

**NOTICE OF MOTION NO. 788 OF 2018
IN
INCOME TAX APPEAL NO.493 OF 2006**

Commissioner of Income-tax-2 ... Appellant/Applicant
V/s.

M/s Tata Sons Ltd. ... Respondent

Mr.Suresh Kumar for the Appellant/applicant.

**CORAM : AKIL KURESHI AND
M.S.SANKLECHA, JJ.
DATE : DECEMBER 21, 2018.**

P.C.:-

1. This application for condonation of 54 days delay in taking out this notice of motion seeking a recall of the order dated 22nd June, 2018 passed by this Court dismissing the appeal for non-prosecution. We have perused the affidavit-in-support and are satisfied with the reasons indicated therein for the delay in taking out this application and also for not being present when the appeal was called out. Accordingly, notice of motion is

allowed in terms of prayer clause (a). No order as to costs.

(M.S.SANKLECHA,J.)

(AKIL KURESHI,J.)

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