

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

**NOTICE OF MOTION NO. 1954 OF 2017
IN
CENTRAL EXCISE APPEAL (L) NO. 167 OF 2016**

Manish S. Agarwal .. Applicant

In the matter between
Manish S. Agarwal .. Appellant
v/s.
The Commissioner of Central Excise,
Daman & Ors. .. Respondents

Ms. Minal Chavan for the applicant / orig. appellant
Ms. P.S. Cardozo for the respondents

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

DATED : 6th SEPTEMBER, 2018.

P.C.

1. This motion has been taken out for setting aside the order dated 2nd August, 2017 passed by the Prothonotary and Senior Master rejecting the appeal for non-removal of office objections under Rule 986 of the Bombay High Court (Original Side) Rules.

2. In support of the motion, an affidavit dated 3rd November, 2017 is filed by Mr. Manish Agarwal, the appellant setting out the reasons for not having been able to remove the office objections within time. On

consideration of the reasons, the respondent Revenue does not oppose the allowing of the present application.

3. Accordingly, for the reasons set out in the affidavit-in-support of the motion, the Motion is allowed in terms of prayer clause (A).

4. It is made clear that in case office objections, if any, are not removed within a period of four weeks from today, the appeal would stand dismissed without further reference to the Court.

(RIYAZ I. CHAGLA, J.)

(M.S. SANKLECHA, J.)