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

**NOTICE OF MOTION NO. 94 OF 2018
IN
INCOME TAX APPEAL (L) NO. 810 OF 2017**

The Principal Commissioner of Income Tax (Central) 4.	... Appellant / Applicant
<i>Versus</i>	
The Phoenix Mills Ltd.	...Respondent

Mr. Tejveer Singh, for the Appellant / Applicant.
Mr. Atul Jasani, for the Respondent.

**CORAM: M.S.SANKLECHA &
RIYAZ I. CHAGLA, JJ.**
DATED: 22ND FEBRUARY 2018

PC:-

1. This Notice of Motion has been taken out to condone the delay of 16 days in filing the appeal from the order dated 6th October 2016 of the Income Tax Appellate Tribunal.

2. Perused the Affidavit in Support dated 7th December 2017 of Mr. Ganesh B. Budruk, the Deputy Commissioner of Income Tax and we are satisfied with the reasons stated therein for the delay in filing the accompanying appeal.

3. Accordingly, the Notice of Motion is allowed in terms of prayer clause (a).

4. Needless to state that if the objections are not removed within the period of four weeks from today, the Appeal itself stand dismissed without reference to the Court.

(RIYAZ I. CHAGLA J.)

(M.S.SANKLECHA, J.)