IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 133 OF 2018
IN
INCOME TAX APPEAL (LODG) NO. 2719 OF 2017

ALONGWITH
NOTICE OF MOTION NO. 121 OF 2018
IN
INCOME TAX APPEAL (LODG) NO. 2721 OF 2017

Pr. Commissioner of Income
Tax-13, Mumbai ....Appellant
V/s.
Nihar Equipment Pvt. Ltd ....Respondent

* * * * *

Mr. Akkhileshwar Sharma, Advocate for the applicant, original appellant.

CORAM :- M.S. SANKLECHA, &

SANDEEP K. SHINDE, JJ.

DATE :- 1ST MARCH, 2018.

P.C. :-

1. None appears for the respondent, despite service.

2. These two Notices of Motion have been taken

out seeking condonation of delay of one day caused in filing the accompanying Appeals from the common order dated 29th March, 2017 passed by the Income Tax Appellate Tribunal in respect of Assessment Years 2007-08 and 2008-09.

2. We have perused the Affidavit dated 12th December, 2017 of Ms. Anuradha S, Assistant Commissioner of Income Tax and are satisfied with the reasons mentioned therein for the delay in filing the Appeals. Accordingly, both the Notices of Motion are allowed in terms of prayer clause (a).

3. Needless to state that, the office objections, if any, will be removed within a period of 4 weeks from today failing which the Appeal would be dismissed without further reference to the Court.

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