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

**NOTICE OF MOTION NO. 60 OF 2018  
IN  
INCOME TAX APPEAL (L) NO. 3113 OF 2017**

Hicons Constructions

... Appellant /  
Applicant

*Versus*

The Deputy Commissioner Of Income Tax – ... Respondents  
Central Circle & Anr.

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Mr. Tanmay Phadke, i/b Neha Paranjpe for the Appellant / Ori.  
Appellant.

Mr. N.C. Mohanty, for the Respondents.

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**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 79 days in filing the appeal from the order dated 31st March 2017 of the Income Tax Appellate Tribunal.

2. Perused the Affidavit in Support dated 14th December 2017 of Mr. Mohd. Rafique Shaikh, partner of the applicant 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 stands dismissed without reference to the Court.

**( RIYAZ I. CHAGLA J. )**

**(M.S.SANKLECHA, J.)**