

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

**NOTICE OF MOTION NO. 59 of 2018
IN
INCOME TAX APPEAL (L) NO. 3135 OF 2017**

M/s. Hicons Constructions .	.. Applicant
<u>In the matter between</u>	
M/s. Hicons Constructions .	.. Appellant
v/s.	
Dy. Commissioner of Income Tax, Central Circle 36 & Anr.	.. Respondents
Ms. Neha Paranjape for the applicant / orig. appellant	
Mr. N.C. Mohanty for the respondent	

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA J.J.
DATED : 16th FEBRUARY, 2018.**

PC.

1. This Notice of Motion has been taken out to condone the delay of 88 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).

(RIYAZ I. CHAGLA, J.)

(M.S. SANKLECHA, J.)