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

NOTICE OF MOTION NO. 209 OF 2018
IN
INCOME TAX APPEAL (L) NO. 750 OF 2015

Pr. Commissioner of Income Tax-30 .. Applicant

In the matter between
Pr. Commissioner of Income Tax-30 .. Appellant

v/s.
Ester-Lub Technologies .. Respondent

Mr. Arvind Pinto for the applicant / orig. appellant
Mr. Arun Upadhyay for the respondent

CORAM : M.S. SANKLECHA &
SANDEEP K. SHINDE, J.J.

DATED : 12th APRIL, 2018.

P.C.

1. This notice of motion has been taken up to condone the delay of 746 days in seeking to set aside the order dated 8th October, 2015 rejecting the applicant's appeal under Rule 986 of the Bombay High Court (Original Side) Rules.

2. Mr. Pinto, learned Counsel appearing in support of the motion states that he has been instructed to withdraw the motion as the tax effect involved in the accompanying appeal is Rs.13.86 lakhs.

3. Therefore, in view of the CBDT Circular No.21 of 2015 dated 10th December, 2015, the motion is being withdrawn and the appeal is also rendered infructuous as it already stands rejected.

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