

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

**NOTICE OF MOTION NO. 208 OF 2018
IN
INCOME TAX APPEAL NO. 1269 OF 2015**

Pr. Commissioner of Income Tax-3 .. Applicant

In the matter between
Pr. Commissioner of Income Tax-3 .. Appellant

v/s.
M/s. USV Ltd. .. Respondent

Ms. Padma Divakar for the applicant / orig. appellant
Mr. Nishant Thakkar a/w Ms. Jasmin Amalsadvala i/b PDS Legal for the
respondent

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

DATED : 23rd MARCH, 2018.

PC.

1. This motion seeks to recall the order dated 29th November, 2017 passed by this Court dismissing the appeal for non-prosecution.

2. We have perused the affidavit of Ms. Vidya Ratna Kishore, Deputy Commissioner of Income Tax, dated 26th December 2017 and are satisfied with the reasons set out therein for non appearance on 29th November, 2017.

3. In the above view, the order dated 29th November, 2017 is recalled. The appeal to come up on board for consideration as per its own turn.

(SANDEEP K. SHINDE, J.)

(M.S. SANKLECHA, J.)