

*R.M. AMBERKAR*  
(Private Secretary)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**O.O.C.J.**

NOTICE OF MOTION NO. 447 OF 2019

IN

NOTICE OF MOTION NO. 1094 OF 2018

IN

INCOME TAX APPEAL NO. 540 OF 2005

M/s. Everlon Synthetics Ltd

.. Applicant

**In the Matter Between**

M/s. Everlon Synthetics Ltd

.. Appellant

Vs

The Commissioner of Income Tax, City -III

.. Respondent

- .....
- Ms. Sanjukta Chowdhary for the Applicant
  - Mr. Sham Walve for the Respondent
- .....

**CORAM : AKIL KURESHI &**  
**S.J. KATHAWALLA, JJ.**

**DATE : AUGUST 5, 2019.**

**P.C.:**

**1.** For the reasons set out in the affidavit in support of the Notice of Motion, the order dated 8.2.2019 passed by this Court dismissing Notice of Motion No. 1094 of 2018 for want of prosecution, is set aside. Notice of Motion No. 1094 of 2018 is restored to file and be placed for hearing in normal course.

**2.** The Notice of Motion is allowed on the above terms and disposed of accordingly.

**[ S.J. KATHAWALLA, J. ]**

**[ AKIL KURESHI, J ]**