

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

**NOTICE OF MOTION NO. 384 OF 2019
IN
CUSTOMS APPEAL (L) NO. 9 OF 2019**

The Commissioner of Customs (General)	...Applicant/Appellant
vs	
Mohanlal Liladhar Joshi	...Respondent

Mr.Pradeep S. Jetly for Applicant.
None for Respondent.

**CORAM : M.S. SANKLECHA &
S.C. GUPTE, JJ.**

DATE : 24 JULY 2019

P.C. :

None appears for the Respondent despite service.

2 This application has been taken out for condonation of 505 days delay in filing the appeal from the order dated 18 April 2017 passed by the Customs, Excise & Service Tax Appellate Tribunal, Mumbai. We are informed that the additional affidavit of Rahul R. Raichur, Deputy Commissioner of Customs, dated 25 June 2019 has been served upon the Respondent. Mr.Jetly, learned Counsel for the Applicant, undertakes to file a further affidavit evidencing service of the additional affidavit upon the Respondent.

3 On perusal of the additional affidavit dated 25 June 2019, we find that sufficient cause has been made out for the delay in filing the appeal. We also note the fact that the Respondent has not appeared despite

notice. Thus, the explanation offered is accepted and the delay in filing the appeal is condoned. The notice of motion is allowed in terms of prayer clause (a).

(S.C. GUPTE, J.)

(M.S. SANKLECHA, J.)