

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

**NOTICE OF MOTION NO. 438 OF 2019
IN
CENTRAL EXCISE APPEAL (L) NO. 81 OF 2018**

Commissioner of Central Tax,
Pune-I Commissionerate .. Applicant

In the matter between
Commissioner of Central Tax,
Pune-I Commissionerate .. Appellant

v/s.
M/s. PMT Machines Ltd. .. Respondent

Mr. Dhananjay B. Deshmukh for the applicant
Mr. Jas Sanghvi I/b PDS Legal for the respondent

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

DATED : 31st JULY, 2019

P.C.

1. This application has been taken out for condonation of 132 days delay in seeking to set aside the order dated 27th September, 2018 passed by the Prothonotary and Senior Master. The impugned order rejected the applicant's appeal for non-removal of office objections under Rule 986 of the Bombay High Court (Original Side) Rules.

2. We have perused the affidavit in support of the motion as well as additional affidavit dated 22nd July, 2019. We are satisfied with the reasons indicated in the affidavit.

3. The motion is allowed in terms of prayer clauses (a) and (b).

4. Needless to state that if the office objections are not removed within a period of four weeks from today, the appeal shall stand dismissed without further reference to the Court.

(S.C. GUPTE, J.)

(M.S. SANKLECHA, J.)