

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

**NOTICE OF MOTION NO. 490 OF 2019
IN
CENTRAL EXCISE APPEAL (L) NO. 46 OF 2019**

Lucy Electric India Pvt. Ltd. .. Applicant

In the matter between
Lucy Electric India Pvt. Ltd. .. Applicant

v/s.
The Commissioner of Central Excise
and Customs, Nashik .. Respondent

Mr. Shreeram Shreedharan I/b PDS Legal for the applicant
Mr. Pradeep Jetly I/b Mr. J.B. Mishra for the respondent

**CORAM : M.S. SANKLECHA &
M.S. SONAK, J.J.**

DATED : 9th JULY, 2019

P.C.

1. This application is taken out to condone 311 days delay in filing the appeal against the order dated 27th November, 2017. The affidavit-in-support of the motion indicates the fact that on receipt of the order dated 27th November, 2017, the applicant has taken out rectification application, which came to be dismissed on 4th April, 2018. Thus, the delay in filing the accompanying appeal.

2. Mr. Jetly, on instructions, states that the respondents do not oppose the condonation of delay application filed by the applicant.

3. In the above view, the Notice of Motion is allowed in terms of prayer clause (a).

(M.S. SONAK, J.)

(M.S. SANKLECHA, J.)