IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 471 OF 2019

IN

INCOME TAX APPEAL(L) NO. 2748 OF 2017

Pr. Commissioner of Income Tax-9, Mumbai. … Applicant.

In the matter between

Principal Commissioner of Income Tax-9,Mumbai … Appellant.

Versus

GTC Industries Ltd. … Respondent

Mr. Tejveer Singh, advocate for applicant.
Mr. Sameer Dalal, advocate for respondent.

CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.
DATE : 29TH JULY, 2019.

P.C.:

1. For the reasons set out in the affidavit in support of the Notice of Motion, the conditional order dated 27/9/2018 passed by the Ld. Prothonotary and Senior Master is quashed and set aside. The Income Tax Appeal is restored to file after condonation of delay in filing this Notice of Motion. Office objections be removed within 4 weeks from today, failing which the Income Tax Appeal shall

stand dismissed for default without further reference to the court. The applicant shall pay cost of Rs. 10,000/- to the respondent, before the stage of admission.

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

(S.J.KATHAWALLA, J.) **(AKIL KURESHI, J.)**