

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

**NOTICE OF MOTION No. 429 OF 2019
IN
CENTRAL EXCISE APPEAL (L) No. 47 of 2019**

KSB Ltd.	.. Applicant
In the matter between	
KSB Ltd.	.. Appellant
v/s.	
The Commissioner of Central GST	
Pune-I Commissionerate	.. Respondent

Mr. Makarand Joshi I/b Max Legal for the applicant
None for the respondent

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

DATED : 12th JUNE, 2019

P.C.

1. None appears for the respondent.
2. Mr. Joshi, learned Counsel appearing in support of the motion states that the respondent has been served and undertakes to file affidavit of service within a period of one week from today.
3. This motion has been taken out to condone the delay of 313 days in filing an appeal from the order dated 25th October, 2017 passed by the Customs, Excise and Service Tax Appellate Tribunal. The appeal

had to be filed on or before 11th June, 2018. However, in the meantime, the petitioner had moved a rectification application before the Tribunal and the same was rejected on 14th December, 2018. Thereafter, the petitioner filed the present appeal. The delay is essentially attributable to the applicant's *bona fide* prosecuting its rectification application before the Tribunal.

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

(M.S. SONAK, J.)

(M.S. SANKLECHA, J.)