

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 450 OF 2019
IN
INCOME TAX APPEAL NO. 1591 OF 2016**

Commissioner of Income Tax-LTU. ... Applicant.

In the matter between

Commissioner of Income Tax-LTU ... Appellant.

Versus

Aditya Birla Nuvo Ltd.. ... Respondent

Mr. Suresh Kumar, advocate for applicant.
Mr. Atul K. Jasani, 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 Notice of Motion is allowed in terms of prayer clauses (a) and (b), which are reproduced herein below :

“a) This Hon'ble High Court be pleased to condon the delay of 39 days in filing the Notice of Motion in Appeal (L) No. 1591 of 2016.

b) This Hon'ble High Court be pleased to recall the order dated 13.02.2019 permitting the Appellant to withdraw the appeal due to the less tax effect as provided in CBDT Circular No. 3 of 2018 dated 11.07.2018."

2. The Notice of Motion is disposed off accordingly.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)