IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 528 OF 2018
IN
CENTRAL EXCISE APPEAL (L) NO. 105 OF 2013

The Commissioner of Central GST and
Central Excise, Daman Commissionerate
(Formerly Silvassa Commissionerate) … Applicant
(Original Appellant)

In the matter between

The Commissioner of Central GST and
Central Excise, Daman Commissionerate. … Appellant

V/s.

M/s Shreeji Aluminium Pvt. Ltd. … Respondent.

Mr. Pradeep Jetly & Mr. J.B. Mishra for the applicant.

CORAM : A.S.OKA AND M.S. KARNIK, JJ.
DATE : 24th April, 2019.

P.C. :

Heard the learned Counsel appearing for the applicant. The appeal preferred by the applicant stands rejected in exercise of powers under Rule 986 of the Bombay High Court (Original Side) Rules, in view of non compliance with order dated 25th July 2013 passed by the Prothonotary and Senior Master. In view of the averments made in the affidavit-in-support, a case of restoration is made out. Accordingly, Notice of Motion is made absolute in terms of prayer clauses (a) and (b), subject to condition that the applicant shall remove all office objections in the appeal within the extended period of four weeks from today. On the failure of the applicant to remove all office objections within a period of four weeks from today, the order of rejection stands.

(M.S.KARNIK, J.) (A.S.OKA, J.)