

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

NOTICE OF MOTION NO. 684 OF 2018
IN
NOTICE OF MOTION (L) NO.63 OF 2018
IN
CUSTOM APPEAL (L) NO. 1 OF 2018

Deendayal Cancer Research Centre	.. Applicant
In the matter between	
Deendayal Cancer Research Centre	.. Appellant
v/s.	
The Commissioner of Customs, Import	.. Respondent

Mr. Amol A. Deshpande for the applicant
None for the respondent

**CORAM : A.S. OKA &
M.S. SANKLECHA, J.J.**

DATED : 25th MARCH, 2019

P.C.

1. Heard the learned Counsel appearing for the applicant in support of the Notice of Motion. The notice of motion taken out for condonation of delay in filing Custom Appeal has been dismissed for non-removal of office objections as the conditional order passed by the learned Prothonotary and Senior Master on 5th April, 2018 has become operative.

2. As the notice of motion for condonation of delay has been

dismissed only on the ground on non-removal of office objections, one more opportunity deserves to be given to the applicant to prosecute the notice of motion.

3. Accordingly, this notice of motion is made absolute in terms of prayer clause (a) subject to condition of applicant removing the office objections in the notice of motion which was rejected for non-removal of office objections, within a period of four weeks from today. On the failure to remove the office objections within stipulated time, the order of dismissal of notice of motion shall stand.

4. If compliance is made within stipulated time, the restored notice of motion shall be listed on 30th April, 2019.

(M.S. SANKLECHA, J.)

(A. S. OKA, J.)