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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 827 OF 2019
IN
CENTRAL EXCISE APPEAL ST. NO. 100 OF 2019

The Principal Commissioner of Central Tax, Pune-I ... Applicant

Vs.

Thermax Engineering Construction Co. Ltd. ... Respondent

Mr. Amol D. Joshi for the Applicant.

Mr. Sriram Sridharan, for the Respondent.

**CORAM : NITIN JAMDAR &
M. S. KARNIK, JJ.**

DATE : 19 DECEMBER, 2019.

P. C. :

. By this Notice of Motion, delay of 416 days in filing the Central Excise Appeal is sought to be condoned. We have perused the affidavit in support of Notice of Motion. It is stated in the affidavit that earlier Appeal was filed in respect of dismissal of the Revenue Appeal and Assessee's Appeal before the Tribunal. However upon directions by this Court to file two separate Appeals, present Appeal was filed. In these circumstances, delay has occurred. No reply is filed by the learned Counsel for the Respondent. He does not intend to do so.

2. Considering the cause made out, delay in filing the Appeal

is condoned. Place the Appeal on board as per its turn.

3. Notice of Motion is accordingly allowed & disposed of as such.

[M. S. KARNIK, J.]

[NITIN JAMDAR, J.]

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