

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

**NOTICE OF MOTION NO.95 OF 2019
IN
INCOME TAX APPEAL NO.487 OF 2006**

Pr.Commissioner of Income Tax -II, Kolhapur. ... Applicant/
Appellant

V/s.
Vasant Rao Chougule Nagari Sahakari
Pat Sanstha Ltd. ... Respondent

Mr.N.N.Singh for the Applicant/Appellant.

**CORAM : AKIL KURESHI AND
B.P.COLABAWALLA, JJ.
DATE : JANUARY 31, 2019.**

P.C.:-

1. Service is completed. No one appears for the respondent.
2. This notice of motion is taken out by the revenue seeking condonation of delay of 40 days in filing the notice of motion. Further prayer is to recall an order dated 22nd June, 2018, in which the appeal came to be dismissed for non-prosecution.

3. For the reasons stated in the application, delay is condoned. Order dated 22nd June, 2018, dismissing the appeal for non-prosecution is recalled. Income Tax Appeal is restored to file.

4. Notice of motion is allowed and disposed of accordingly.

(B.P.COLABAWALLA,J.)

(AKIL KURESHI,J.)

....