

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

**NOTICE OF MOTION NO.1097 OF 2018
IN
INCOME TAX APPEAL NO.609 OF 2007**

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

V/s.

Vasantrao 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 30 days in filing the notice of motion. Further prayer is to recall an order dated 2nd July, 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 2nd July, 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.)

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