

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

NOTICE OF MOTION NO. 803 OF 2018
IN
MAHARASHTRA VAT APPEAL (L) NO. 6 OF 2017
IN
VAT APPEAL NO. 1989 OF 2015

M/s. Dlecta Foods Pvt. Ltd.	.. Applicant
In the matter between	
M/s. Dlecta Foods Pvt. Ltd.	.. Appellant
v/s.	
The State of Maharashtra	.. Respondent

Mr. Vinayak Patkar I/b Nikhil Mishra for the applicant / appellant
None for the respondent

**CORAM : AKIL KURESHI &
M.S. SANKLECHA, J.J.**

DATED : 25th JANUARY, 2019

P.C.

1. Mr. Patkar, learned Counsel appearing for the applicant states that the respondent has been served. He undertakes to file affidavit of service within a period of one week from today.

2. This application has been taken out to condone the delay of 89 days in taking out the present motion to set aside the order dated 29th June, 2017 passed by the Prothonotary and Senior Master, rejecting the petitioner's appeal for non-removal of office objection under Rule 986

of the Bombay High Court (Original Side) Rules.

3. We have perused the affidavit in support of the motion and are satisfied with the reasons indicated therein for the delay in taking out this motion as well as for non-removal of office objections.

4. The notice of motion is allowed in terms of prayer clauses (a) and (b).

5. Needless to state that if the office objections are not removed within a period of 4 weeks from today, the appeal shall stand dismissed without further reference to the Court.

(M.S. SANKLECHA, J.)

(AKIL KURESHI, J.)