

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 93 OF 2019

IN

NOTICE OF MOTION NO. 2727 OF 2016

IN

IN CENTRAL EXCISE APPEAL (Ld.) NO. 99 OF 2015

The Commissioner of CGST and
Central Excise, Belapur.

... Applicant
(Original Appellant)

In the matter between

The Commissioner of CGST and
Central Excise, Belapur.

... Appellant

V/s.

GTL Infrastructure Ltd.

... Respondent.

Mr. M. Dwivedi a/w Mr. V.A. Bajpayee for the applicant.
Ms. Aparna V. Kulkarni for the respondent

CORAM : A.S.OKA AND M.S. KARNIK, JJ.

DATE : 24th April, 2019.

PC.:

Heard learned Counsel appearing for the applicant. Notice of Motion is opposed by the learned counsel appearing for the respondent. The appeal preferred by the applicant has been rejected under the order 23rd June 2016 passed by the Prothonotary and Senior Master in exercise of powers under Rule 986 of the Bombay High Court (Original Side) Rules. The delay in taking out this Notice of Motion and delay on the part

of the applicant in removing office objections is explained in additional affidavit tendered today.

2. Accordingly, sufficient cause is made out to condone the delay. Notice of Motion is made absolute in terms of prayer clauses (a) and (b), subject to condition that the applicant shall remove all office objections in the appeal within a period of one month from today. On the failure of the applicant to remove office objections within a period of one month from today, the order of rejection will stand.

(M.S.KARNIK, J.)

(A.S.OKA, J.)