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

**INTERIM APPLICATION NO. 1 OF 2019
IN
CUSTOM APPEAL (ST.) NO. 34 OF 2019**

Dipali Electronics Pvt. Ltd. ..Applicant

IN THE MATTER BETWEEN

Dipali Electronics Pvt. Ltd. ..Appellant

vs.

The Commissioner of Customs, Mumbai ..Respondent

.....

Mr. Mahesh Raichandani a/w. Ms. Ankita Vashistha i/b. UBR
Legal Advocates for the Applicant/org. Appellant.

Mr. P.S. Jetly, Senior Advocate a/w. Mr. J.B. Mishra for the
respondent.

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

DATE : 14 FEBRUARY 2020

P.C.:-

Heard learned counsel for the parties.

2. Leave is granted to amend the prayer clause to correct the phraseology used. Amendment to be carried out forthwith. Re-verification is dispensed with.

3. The impugned order in this Appeal was passed on 14 December 2017. Application for rectification was filed on 21 June 2018. The Tribunal rejected the application by order dated 16 October 2018 which was received by the Applicant on 24 July 2019 and thereafter, on 4 October 2019 the present Appeal is filed. Learned counsel for the Applicant states that it is in these circumstances the delay is occurred. Having considered the explanation given in the application, we are of the opinion that the delay in filing Appeal needs to be condoned. Accordingly, the application is allowed. Delay in filing the Appeal stands condoned.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)

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