

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

NOTICE OF MOTION NO. 439 OF 2019
IN
SALES TAX APPEAL NO. MVXAL (ST) NO. 1 OF 2018
IN
VAT APPEAL NO. 10 OF 2010

M/s. Vadilal Dairy International .. Applicant

In the matter between
M/s. Vadilal Dairy International .. Appellant

v/s.
The State of Maharashtra .. Respondent

Mr. P.N. Shah a/w Jay Vora for the applicant
Mr. H.B. Takke, AGP for the respondent State

**CORAM : M.S. SANKLECHA &
M.S. SONAK, J.J.
DATED : 9th JULY, 2019**

P.C.

1. This application has been taken out for condonation of 165 days delay in taking out the this motion for setting aside the order dated 19th April, 2018 passed by the Prothonotary and Senior Master. The impugned order rejected the appellant's appeal for non-removal of office objections under Rule 986 of the Bombay High Court (Original Side) Rules.

2. We have perused the affidavit-in-support of the motion and are

satisfied with the reasons indicated therein for the delay and the non-removal of office objections with the stipulated time.

3. Mr. Shah, learned Counsel for the applicant informs us that all the office objections have now been removed and he undertakes that the C.D. would be submitted to the office within a period of one week from today.

4. In the above view, the delay in taking out this motion is condoned. Notice of Motion is allowed in terms of prayer clause (a).

5. Needless to state that if the CD is not submitted within a period of one weeks from today, the appeal would stand dismissed without further reference to the Court.

(M.S. SONAK, J.)

(M.S. SANKLECHA, J.)