

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO. 856 OF 2019
IN
INCOME TAX APPEAL (L) NO. 1578 OF 2016

Pr. Commissioner of Income Tax 4, Pune .. Applicant

In the matter Between

Pr. Commissioner of Income Tax 4, Pune .. Appellant

Vs

The Cosmos Co-op Bank Ltd .. Respondent

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- Mr. Sham Walve for the Applicant
 - Mr. Joel S. Carlos for the Respondent
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CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.

DATE : JANUARY 21, 2020.

P.C.:

- 1.** Heard learned counsel for the parties.
- 2.** This Notice of Motion has been sought for by the revenue for restoration of the related Income Tax Appeal preferred under Section 260A of the Income Tax Act, 1961 which was dismissed for non-removal of office objection.
 - 2.1.** There is delay of 937 days in filing the Notice of Motion.

3. Learned counsel for the respondent prays for time to file objection.

4. Having regard to the fact that the appeal was dismissed at pre-registration stage, we feel that filing of objection by the respondent is not warranted.

5. After hearing learned counsel for the parties and on due consideration , the delay of 937 days in filing the present Notice of Motion is condoned and the related Income Tax Appeal be restored to file. The appeal may be registered on removal of office objection within four weeks from today and further subject to deposit of Rs. 5000/- by the revenue before the Maharashtra State Legal Services Authority, receipt of which shall be placed before the registry.

6. Notice of Motion is accordingly disposed of.

[MILIND N. JADHAV, J.]

[UJJAL BHUYAN, J.]

Ravindra
M.
Amberkar

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