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

INCOME TAX APPEAL NO. 221 OF 2018

Principal Commissioner of Income Tax – 32,
Mumbai ….Appellant

V/s.
Hemanshu K. Modi …Respondent

Mr. Arvind Pinto for Appellant.

CORAM : K.R. SHRIRAM &
N. R. BORKAR, JJ.
DATED : 30th MARCH, 2022

P.C. :

1. Record and Proceedings does not indicate that copy of the appeal has been served on respondent. On 15th November, 2021 in Income Tax Appeal No.1954 of 2017 we had passed an order directing the Commissioner of Income Tax (Judicial) of Mumbai and Pune to ensure that every appeal filed by them, which are pending admission, is served on respondent within two weeks from that date and affidavit of service was filed and if not effected and affidavit of service was not filed, the appeal will stand dismissed without further reference to the court. Time was extended in certain cases where appellant's counsel sought extension.

2. Therefore, unless appellant is able to show within two weeks from today that they have complied with the directions given on 15th November, 2021 as noted above, the self operating order will become

effective and appeal will stand dismissed. If the affidavit of service is filed in compliance with the directions given on 15th November, 2021 the appeal then be listed on 20th April, 2022.

(N. R. BORKAR, J.) **(K.R. SHRIRAM, J.)**