



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

NOTICE OF MOTION NO. 409 OF 2018
IN
CENTRAL EXCISE APPEAL (L) NO. 5 OF 2018

Kopran Ltd. .. Applicant

In the matter between

Kopran Ltd. .. Appellant

v/s.

Customs, Excise & Service Tax Appellate
Tribunal & Anr. .. Respondents

Mr. Ramnath Prabhu I/b P.K. Shetty for the applicant / orig. appellant
Mr. Sham Walve a/w Mr. Ram Ochani for the respondents

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, J.J.**

DATED : 21st SEPTEMBER, 2018.

P.C.

1. This motion has been taken out for condonation of 135 days delay in filing the appeal from the order dated 16th February, 2017 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal).

2. We have perused the affidavit of Mr. G.R. Dandekar, Senior Excise Manager of the company, dated 9th April, 2018. In the affidavit

it is stated that the impugned order of the Tribunal was received on 28th February, 2017 and the Officer Mr. M.S. Siddesha, looking after this issue left the applicant on 15th April, 2017. Thus, the delay. We are satisfied with the reasons indicated for condonation of delay.

3. Mr. Walve, learned Counsel appearing for the respondent does not oppose the application for condonation of delay.

4. In the above view, the motion is allowed in terms of prayer clause (a).

(RIYAZ I. CHAGLA, J.)

(M.S. SANKLECHA, J.)