

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 818 OF 2015
IN
ARBITRATION PETITION (L) NO. 1012 OF 2013

Vivek Raghu Shetty Applicant

IN THE MATTER BETWEEN

Vivek Raghu Shetty Petitioner

VERSUS

Edelweiss Securities Ltd. Respondent

Mr.Farhan M. Khan for the Petitioner.

Mr.Girish M.Agarwal, i/b. Purohit & Co. for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 14th JULY, 2015

P.C.

By this Notice of Motion, the applicant seeks condonation of delay of 28 days in filing arbitration petition. No affidavit in reply is filed by the respondent though served.

2. It is not in dispute that the delay of 28 days computed by the applicant is properly computed.

3. A perusal of the affidavit in support indicates that the applicant was prevented by sufficient cause for filing the arbitration petition due to various reasons recorded in the affidavit in support which are not controverted by the respondent.

4. For the reasons recorded in affidavit in support of notice of motion, motion is made absolute in terms of prayer clause (a). Delay of 28 days in filing arbitration petition is condoned. No order as to costs.

5. The applicant is directed to remove all other office objections within two weeks from today, failing which the petition to stand dismissed without further reference to court. If the objections are removed and petition is numbered, place the matter on board for admission on **3rd August, 2015**.

[R.D. DHANUKA, J.]