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

NOTICE OF MOTION NO.1413 OF 2011
IN
ARBITRATION PETITION (LODGING) NO.392 OF 2011

WITH

ARBITRATION PETITION (LODGING) NO.392 OF 2011

Prime Tours & Travels & Ors.	...Petitioners
V/s.	
Tata Motors Finance Ltd. & Anr.	...Respondents

None for the Petitioners.

Mr.Yuvraj Choksy with Mr.Rahul Dwarkadas i/b Veritas Legal for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 9TH APRIL, 2015.

P.C. :-

1. By this notice of motion the petitioners seek condonation of delay of more than one year in filing the present petition. None appeared for the petitioners when the matter was called out. A perusal of the affidavit in support of the notice of motion indicates that it is the case of the petitioners that a copy of the award dated 29th January, 2010 was received by the petitioners, however, the petitioners were constantly negotiating for the settlement with

respondent No.1 and thus could not contact its advocate for preparing the present petition.

2. On perusal of the affidavit in support of the notice of motion, it is clear that the petitioners were served with a copy of the award by the learned arbitrator and the petition has not been filed within three months and within 30 days thereafter. The Court has no power to condone delay beyond the period of 30 days.

3. The notice of motion is dismissed.

4. In view of dismissal of the notice of motion, the arbitration petition is also dismissed. No order as to costs.

(R.D. DHANUKA, J.)