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

NOTICE OF MOTION NO.1052 OF 2014
IN
ARBITRATION PETITION (LODGING) NO.705 OF 2014

Al Jabriah Metals Trading Ltd.

...Applicant /
...Petitioner

V/s.

ISMT Limited & Anr.

...Respondents

Mr.Abhay Dhadiwal i/b M/s.Jayakar & Partners for the Petitioner.

Mr.Deepak Lad i/b Advani & Co. for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 16TH JANUARY, 2015.

P.C. :-

1. By this notice of motion, the applicant seeks condonation of delay of 27 days in filing the arbitration petition. It is the case of the applicant that the signed copy of the impugned award was served upon the advocate representing the applicant on 26.12.2013. It is not in dispute that the applicant was not served with the signed copy of the impugned award by the learned arbitrator. In my view, the limitation thus did not commence for filing of the arbitration petition. There is, thus, no delay in filing this petition.

2. The notice of motion for condonation of delay is

accordingly disposed of. No order as to costs.

3. Place the arbitration petition on board for admission subject to numbering on 09.02.2014.

(R.D. DHANUKA, J.)