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

NOTICE OF MOTION NO.458 OF 2015
IN
ARBITRATION PETITION (LODGING) NO.1841 OF 2014
WITH
ARBITRATION PETITION (LODGING) NO.1841 OF 2014

M/s.A.B. Enterprises ...Applicant

IN THE MATTER BETWEEN :

M/s.A.B. Enterprises ...Petitioner

V/s.

L & T Finance Limited ...Respondent

None for the Applicant / Petitioner.

Mr.Anand Poojary i/b M/s.S.I. Joshi & Co. for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 22ND JUNE, 2015.

P.C. :-

1. This matter was on board on 9th June, 2015 when none appeared for the petitioner. None appeared for the petitioner even today.

2. By this notice of motion, the petitioner seeks condonation of 242 days delay in filing Arbitration Petition (lodging) No.1841 of 2014. Mr.Poojary, learned counsel for the respondent invited my

attention to prayer clause (a) of the notice of motion and also the averments made in the affidavit in support of the notice of motion.

3. My attention is also invited to the affidavit in reply filed by the respondent and a statement annexed at Exhibit-A to the affidavit in reply to show that a copy of the award was sent to the respondent by the learned arbitrator on 25th November, 2011.

4. I am of the view that the petitioner was duly served with a copy of the award in the month of November, 2011, whereas the petition has been lodged on 29th November, 2014. This Court has no power to condone delay beyond the period of 30 days.

5. The notice of motion is accordingly dismissed. No order as to costs.

6. In view of the dismissal of the notice of motion, Arbitration Petition (Lodging) No.1841 of 2014 is also dismissed.

(R.D. DHANUKA, J.)