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

NOTICE OF MOTION (LODGING) NO.2965 OF 2014
IN
ARBITRATION PETITION (LODGING) NO.2019 OF 2014
WITH
ARBITRATION PETITION (LODGING) NO.2019 OF 2014

M/s.Creative Prints & Anr. ...Applicants

IN THE MATTER BETWEEN :

M/s.Creative Prints & Anr. ...Petitioners

V/s.

Bharti A. Faldesai & Anr. ...Respondents

WITH
NOTICE OF MOTION (LODGING) NO.2966 OF 2014
IN
ARBITRATION PETITION (LODGING) NO.2020 OF 2014
WITH
ARBITRATION PETITION (LODGING) NO.2020 OF 2014

M/s.Creative Prints & Anr. ...Applicants

IN THE MATTER BETWEEN :

M/s.Creative Prints & Anr. ...Petitioners

V/s.

Sunil Jagpap & Anr. ...Respondents

WITH
NOTICE OF MOTION (LODGING) NO.2967 OF 2014
IN
ARBITRATION PETITION (LODGING) NO.2021 OF 2014
WITH
ARBITRATION PETITION (LODGING) NO.2021 OF 2014

M/s.Creative Prints & Anr. ...Applicants

IN THE MATTER BETWEEN :

M/s.Creative Prints & Anr.

...Petitioners

V/s.

Baburao Shinde & Anr.

...Respondents

WITH
NOTICE OF MOTION (LODGING) NO.2972 OF 2014
IN
ARBITRATION PETITION (LODGING) NO.2022 OF 2014
WITH
ARBITRATION PETITION (LODGING) NO.2022 OF 2014

M/s.Creative Prints & Anr.

...Applicants

IN THE MATTER BETWEEN :

M/s.Creative Prints & Anr.

...Petitioners

V/s.

Prakash Bambardekar & Anr.

...Respondents

Mr.Surendra Faldesai – Applicant No.2 and partner of Petitioner No.1
present in person.

Mr.Nilesh Gala i/b Ms.Meena Sangoi for Respondent No.1.

CORAM : R.D. DHANUKA, J.

DATE : 11TH JUNE, 2015.

P.C. :-

1. All these notices of motion were on board from time to time and had been adjourned at the request of learned advocate appearing for the applicants (original petitioners) on one or other ground. On 7th May, 2015 applicant no.2 appeared in person and took time till 10th June, 2015. The matter appeared on board yesterday when applicant no.2 once again sought time. The matters are kept

today on board. Today again he seeks time for three weeks on the ground that the advocate has returned the papers.

2. On the last occasion, the Court has passed the order on 26th September, 2015, in Notice of Motion (Lodging) No.2068 of 2014 in Arbitration Petition (Lodging) No.1244 of 2015, in which the petitioners were the same. The facts of this case are identical to the facts in the said Notice of Motion (Lodging) No.2068 of 2014 in Arbitration Petition (Lodging) No.1244 of 2015.

3. It is made clear that the applicants have sought several adjournments on one or other similar grounds. I am thus not inclined to grant further adjournment. I have perused the papers and proceedings of these matters and I am of the view that the facts of these matters are identical to the facts in Notice of Motion (Lodging) No.2068 of 2014 in Arbitration Petition (Lodging) No.1244 of 2015. There is delay of more than thirty days in filing the arbitration petitions under section 34 of the Arbitration & Conciliation Act, 1996. This Court has no power to condone the delay beyond 30 days.

4. For the reasons recorded in the order dated 26th March, 2015 in Notice of Motion (Lodging) No.2068 of 2014 in Arbitration Petition (Lodging) No.1244 of 2015, all these notices of motion are dismissed.

5. In view of the dismissal of the notices of motion, all the

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arbitration petitions filed under section 34 of the Arbitration & Conciliation Act, 1996 are also dismissed.

No order as to costs.

(R.D. DHANUKA, J.)