

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 8 OF 2016
IN
ARBITRATION PETITION NO. 8 OF 2016

Atul Harishchandra Godambe

..... Applicant

VERSUS

Atul Pharma Agency & Ors.

..... Respondents

Mr. Anand Singh for the Applicant.

None for the Respondents.

CORAM : R.D. DHANUKA, J.

DATE : 15th JULY, 2016

P.C.

By this civil application, the applicant seeks restoration of the Arbitration Petition No. 8 of 2016 which was dismissed for default by an order dated 5th February, 2016. It is submitted that the respondents were not served by the petitioner in the Arbitration Petition No.8 of 2016. It is submitted that the petitioner could not remain present when the matter appeared before this court on 5th February, 2016 for the reasons recorded in the civil application.

2. I have heard the learned counsel appearing for the petitioner and have perused the grounds mentioned in the civil application justifying the absence by the petitioner when the matter was called out by this court on 5th February, 2016.

3. For the reasons recorded in the civil application, order passed by this court on 5th February, 2016 dismissing the Arbitration Petition No.8 of 2016 for default for want of prosecution is recalled. Arbitration Petition No.8 of 2016 is restored to

file.

4. Civil application is disposed of in the aforesaid terms. No order as to costs.
5. The applicant is directed to serve the respondents with the papers and proceedings of Arbitration Petition No.8 of 2016 within two weeks from today and shall file an affidavit of service before the next date.
6. Place the Arbitration Petition No.8 of 2016 on board for hearing and final disposal on **12th August, 2016.**

[R.D. DHANUKA, J.]