

vai

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

NOTICE OF MOTION NO.457 OF 2013  
IN  
ARBITRATION PETITION NO.930 OF 2012

Harishbhai R. Tilak ...Applicant

**IN THE MATTER BETWEEN :**

Harishbhai R. Tilak ...Petitioner

V/s.

M/s.K. Kalidas & Anr. ...Respondents

Mr.M.D. Mali i/b M.D. Mali & Co. for the Applicant / Petitioner.

None for the Respondents.

**CORAM : R.D. DHANUKA, J.**

**DATE : 7TH JULY, 2016.**

**P.C. :-**

1. Learned counsel appearing for the applicant states that the respondents are served and undertakes to file affidavit of service within one week from today. The undertaking is accepted.
2. By this notice of motion the applicant seeks condonation of delay of 9 days in filing the notice of motion and seeks restoration of Arbitration Petition No.930 of 2012. No affidavit in reply has been filed. None appeared for the respondents though served.
3. I have heard the learned counsel appearing for the

applicant and have perused the affidavit in support of the notice of motion. For the reasons recorded in the affidavit in support of the notice of motion, the delay in filing the notice of motion is condoned. The order dated 27<sup>th</sup> November, 2012 is recalled. Arbitration Petition No.930 of 2012 is restored to file.

4. The notice of motion is disposed of in aforesaid terms. No order as to costs.

5. Place the arbitration petition on board for admission on 20<sup>th</sup> July, 2016.

6. The applicant is directed to convey this order to the respondents immediately.

**(R.D. DHANUKA, J.)**