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

NOTICE OF MOTION NO.314 OF 2016

IN

APPEAL (L.) NO.343 of 2013

IN

ARBITRATION PETITION NO.564 OF 2009

M/s. Western Paper and Tarn Pvt. Ltd.	... Applicant
Versus	
M/s. Motabai Paras Private Ltd.	... Respondent

Mr. Sankalp Anantwar i/by Argus Partners for the Applicant.
Mr. Nilesh Makwana a/w Mr. S.R. Rawal for the Respondent.

**CORAM : A.S. OKA &
M.S. KARNIK, JJ.**

DATE : 22nd NOVEMBER, 2016

PC.

1. Heard the learned counsel appearing for the Applicant/Appellant and the learned counsel appearing for the Respondent. Prayer is for condonation of delay of 303 days in preferring an Appeal. Our attention is invited to order dated 19th November, 2013 passed in Appeal. By the said order, in presence of the Advocate for the Respondent, the Appeal was admitted by the Division Bench of this Court.

2 The learned counsel appearing for the Respondent opposes the prayer for condonation of delay on the ground that there is no explanation of long delay of 303 days.

3 Objection regarding delay was not raised by the Respondent on 19th November, 2013. Now that Appeal has been admitted, delay deserves to be condoned. Accordingly, Notice of Motion is made absolute in terms of prayer clause (a).

(M.S. KARNIK, J.)

(A.S. OKA, J.)