

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

**NOTICE OF MOTION NO.752 OF 2016
IN
ARBITRATION PETITION (L) NO.1680 OF 2015**

Nikten Bhailal Bramhbhatt and Ors.Applicants/Petitioners

V/s.

The Kopal Co-op. Bank Ltd. & Anr.Respondents

Mr. Anup Lahoti for the applicants/petitioners.

None for the respondents.

CORAM : K.R.SHRIRAM,J

DATE : 26th October, 2016

P.C.:-

1 This notice of motion is filed to set aside the self operating order passed on 27th October, 2015 by the Prothonotary and Senior Master whereby the petitioners were directed to remove all office objections by 24th November, 2015 failing which the petition was to stand rejected under Rule 986 of the Bombay High Court (O.S.) Rules. The counsel appearing for the petitioners states that one of the objection raised was relating to payment of court fees and that has been paid a bit late. The counsel for the petitioners further states that all other office objections, except condonation of delay for which a separate notice of motion has been taken out, has been complied

with. The counsel for the petitioners states that if at all any objection has been over looked, the petitioners will remove that objection also before 11th November, 2016.

2 In view of this statement made by the counsel for the petitioners, the prayers as sought in clauses (a) and (b) are granted. The notice of motion accordingly stands disposed.

3 The petition is restored to file subject to hearing of notice of motion no.1420 of 2015. It is made clear that if the objections are not removed by 11th November, 2016, except the objection for condonation of delay, the petition will automatically stand dismissed without further reference to the court.

4 The notice of motion no.1420 of 2015 to be listed for hearing 17th November, 2016 subject to complying with the above directions.

(K.R.SHRIRAM,J)