

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

**NOTICE OF MOTION NO. 1201 OF 2013
IN
ARBITRATION PETITION NO. 941 OF 2009**

Kirloskar Constructions and Engineers Ltd. .. Plaintiff

IN THE MATTER BETWEEN

Kirloskar Constructions and Engineers Ltd. .. Petitioner

Vs.

Bhrihan Mumbai Municipal Corporation .. Defendant

Mr. R.S. Tripathi for the Plaintiff.

Mr. R.Y. Sirsikar for the Defendant.

**CORAM : K.R. SHRIRAM, J.
DATED : 4TH OCTOBER, 2016**

P.C.

1 This Notice of Motion is taken out to recall the order dated 14.03.2013 dismissing the Petition. The following order was passed on 14.03.2013 :-

“None appeared for the petitioner on 18 February, 2013, 4 March 2013 and today again, though the matter is listed under the caption “for dismissal”. Dismissed for default. ”

2 In the affidavit in support there is nothing mentioned as to why petitioner did not remain present on all the three dates, therefore, the Notice of Motion stands dismissed.

(K.R. SHRIRAM, J.)