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

NOTICE OF MOTION NO.1294 OF 2016
IN
ARBITRATION PETITION NO.1635 OF 2015

M/s.Ruchi Worldwide Limited ...Applicant

IN THE MATTER BETWEEN :

Normula Brothers ...Petitioner

V/s.

M/s.Ruchi Worldwide Limited ...Respondent

Ms.Bharti Narichania i/b Vibha Jurisconsult for the Applicant / Respondent.

None for the Petitioner.

CORAM : R.D. DHANUKA, J.
DATE : 30TH JUNE, 2016.

P.C. :-

1. By this notice of motion, the applicant seeks re-call of the order dated 25th February, 2016 passed by this Court and seeks a declaration that the arbitration petition is not maintainable on various grounds. None appeared for the original petitioner in the notice of motion when it was called out. I have perused the affidavit in support of the notice of motion. The applicant has made out the case for remaining absent before this Court on 25th February, 2016 when this

Court admitted Arbitration Petition No.1635 of 2015 in absence of the applicant.

2. The order dated 25th February, 2016 which was an *ex-parte* order is thus recalled. Place the Arbitration Petition No.1635 of 2015 on board for admission on 13th July, 2016. The applicant is directed to convey this order to the learned advocate representing the original petitioner.

3. Insofar as the other prayers in the notice of motion seeking dismissal of the arbitration petition on the ground of jurisdiction is concerned, the said issue can be considered at the stage of admission of the arbitration petition and are kept open.

4. The notice of motion is accordingly disposed of. No order as to costs.

(R.D. DHANUKA, J.)