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

NOTICE OF MOTION NO.1784 OF 2016
IN
ARBITRATION PETITION (LODGING) NO.499 OF 2016

M/s.Evergreen Roadways ...Applicant

IN THE MATTER BETWEEN :

M/s.Evergreen Roadways ...Petitioner

V/s.

Mahindra Logistics Limited ...Respondent

Mr.A.K. Saxena with Mr.Ganesh Dahale for the Applicant / Petitioner.

None for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 4TH AUGUST, 2016.

P.C. :-

1. Learned counsel appearing for the applicant tenders affidavit of service and states that the respondent is served. The statement made by the learned counsel for the applicant is accepted. The affidavit of service is taken on record.
2. None appeared for the respondent, though served. No affidavit in reply has been filed.
3. By this notice of motion, the applicant seeks condonation of delay of 19 days in filing the arbitration petition. The applicant has

sufficiently explained the delay of 19 days in filing the arbitration petition. The statements made in the affidavit in support of the notice of motion are accepted.

4. For the reasons recorded in the affidavit in support of the notice of motion, the delay of 19 days in filing the arbitration petition is condoned.

5. The applicant is directed to remove all other office objections within two weeks from today. The notice of motion is accordingly disposed of in aforesaid terms. No order as to costs.

6. If all the office objections are removed by the applicant within the time prescribed above, place the arbitration petition on board for admission on 31st August, 2016. Liberty to the applicant to file compilation of documents within two weeks from today and a copy thereof shall be served upon the respondent's advocate simultaneously.

(R.D. DHANUKA, J.)