

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

**NOTICE OF MOTION NO.1796 OF 2010
WITH
CHAMBER SUMMONS NO.502 OF 2008
WITH
EXECUTION APPLICATION NO.48 OF 2008
IN
ARBITRATION PETITION NO.479 OF 2003**

Manoj Kumar Mishra

....Claimant

V/s.

Devendrakumar J. Mishra & Ors.

....Respondents

Mr. Chirag Mody a/w. Mr. Rishikesh Soni & Ms. Shalaka Mali i/b.
Ashok Purohit & Co. for the claimant.

Mr. Bharat Punekar for the respondent no.2.

Mr. Manoj Kumar Mishra, claimant present in person.

CORAM : K.R.SHRIRAM,J

DATE : 28th APRIL, 2016

P.C.:-

1 This notice of motion is taken out for recalling the order dated 6th May, 2010 dismissing the chamber summons no.502 of 2008 for default.

2 Have considered the reasons given in the affidavit in support. The counsel for the applicant on instructions from the applicant, who is present in court, states that according to the applicant the amount payable to the respondent no.2 as on 31st March, 2016 works out to about Rs.12,67,000/- and this amount with further

interest will be paid in full and final by 15th June either lump sum or in installments.

3 In view of the statement made by the counsel for the applicant, the notice of motion is allowed in terms of prayer clause -(a) and accordingly disposed.

4 The chamber summons no.502 of 2008 is restored to file.

5 The statement of the counsel for the respondent no.2 that none of the other respondents have made any payment is accepted.

(K.R.SHRIRAM,J)