

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2381 OF 2016
IN
ARBITRATION PETITION (L)NO. 803 OF 2016

Union of India Applicant
VERSUS
M/s.Kavita Handlers Respondent

Ms.Sangita Yadav, i/b. Mr.Suresh Kumar for the Applicant.

Mr.Rahul Oak for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 25th NOVEMBER, 2016

P.C.

By this notice of motion, the applicant seeks condonation of delay of 22 days in filing arbitration petition.

2. Learned counsel appearing for the applicant invited my attention to the averments made in the affidavit in support of the notice of motion explaining delay of 22 days in filing arbitration petition.

3. There is no affidavit in reply filed by the respondent.

4. Learned counsel appearing for the respondent submits that delay is not properly explained in the affidavit in support of the notice of motion.

5. I have perused the affidavit in support of the notice of motion and I have heard learned counsel appearing for the parties. The award was received by the office of the Chief Commercial Manager (Freight Marketing) who was contesting party on 23rd March, 2016. The applicant thereafter took various steps in obtaining legal opinion and sanction to file this arbitration petition. I am satisfied that the

delay of 22 days in filing arbitration petition is sufficiently explained. There is no merits in the submission of the learned counsel appearing for the respondent.

6. Notice of motion is made absolute in terms of prayer clause (a). There shall be no order as to costs.

7. Place the arbitration petition on board for admission on **6th January, 2017** subject to numbering.

(R.D.DHANUKA, J.)