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

NOTICE OF MOTION No. 145 OF 2016

IN

APPEAL (L) No.680 OF 2015

IN

LEAVE PETITION No.150 OF 2015

IN

SUIT (L) No.516 OF 2015

Vivanti Private Limited and Ors.

...Applicants/Appellants
(Org. Plaintiffs)

Vs.

S.E. Investment Limited and Anr.

...Respondents
(Org. Defendants)

Mr.Vicky Pahuja i/b. Naik Naik & Co. for Applicants/ Appellants
Ms. Deepali Jadhav for Respondents

***CORAM : V. M. KANADE &
REVATI MOHITE DERE, JJ.***

DATE : FEBRUARY 11, 2016

P.C. :

1. Heard the learned counsel appearing on behalf of the Applicants / Appellants and the learned counsel for the Respondents.
2. There is a delay of 30 days caused in filing the present appeal. The

learned counsel for the Respondents has vehemently opposed the notice of motion for condonation of delay. We are of the view that the delay caused in filing the appeal should be condoned for the reasons stated in paragraphs 4,5,6 and 7 of the affidavit in support of the notice of motion. Hence, notice of motion is allowed in terms of prayer clause (a) and is disposed of. 3.

3. It is clarified that the order passed by this Court for condonation of delay shall not come in the way of the arbitral proceedings which are pending in the Arbitral Tribunal. We further clarify that no stay has been granted to the arbitral proceedings by virtue of condonation of delay. Stand over to 17th February, 2016.

REVATI MOHITE DERE, J.

V.M. KANADE, J.