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

ARBITRATION PETITION NO.510 OF 2015

Century Communication Ltd.	...Petitioner
V/s.	
Contiloe Pictures Pvt. Ltd.	...Respondent

Ms.R. Manoj i/b Bekay Legal for the Petitioner.

Mr.Mayur Khandeparkar with Ms.Neha Naik i/b Phoenix Legal for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 14TH JULY, 2016.

P.C. :-

1. Learned counsel appearing for the petitioner seeks adjournment on the ground that her senior is not available. The application for adjournment is vehemently opposed by the learned counsel for the respondent on the ground that though the arbitration petition was filed as far back as on 28th April, 2015 and though there was delay in filing such arbitration petition, the petitioner did not file any notice of motion for condonation of delay. He also invited my attention to the order dated 7th July, 2016 passed by this Court thereby passing a conditional order that if the notice of motion for condonation of delay is not filed on or before 14th July, 2016, the

arbitration petition to stand dismissed without further reference to the Court. Learned counsel for the respondent further submits that the respondent has already filed execution proceedings and warrant of attachment is already levied on the properties of the petitioner.

2. It is submitted that till date no notice of motion for condonation of delay is filed by the petitioner. Learned counsel also invited my attention to the order dated 5th September, 2014 passed by this Court in Chamber Summons No.873 of 2014 filed by the petitioner herein *inter-alia* praying for raising warrant of attachment levied on the properties of the petitioner and submits that in the said order dated 5th September, 2014, passed by this Court while dismissing the said chamber summons, this Court has already rendered a finding that a copy of the award was served upon the petitioner as far back as on 21st October, 2013, whereas the present petition has been filed by the petitioner after expiry of three months and 30 days. The said order passed by this Court on 5th September, 2014 has not been impugned by the petitioner.

3. In my view, the petition itself is barred by law of limitation. I am thus not inclined to grant any further adjournment to the petitioner. The arbitration petition is dismissed. No order as to costs.

(R.D. DHANUKA, J.)