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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.2019 OF 2015
IN
ARBITRATION PETITION (L) NO.1899 OF 2015

Shravan Kumar Pandey	...Applicant/Petitioner
vs	
Mahindra And Mahindra Financial Services Ltd. And 3 Ors.	...Respondents

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Mr. Sandeep Kumar Singh, for the Petitioner.

None for the Respondents.

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CORAM : S.C. GUPTE, J.

DATED : JANUARY 28, 2016

P.C. :

. The Notice of Motion seeks condonation of delay in preferring the Arbitration Petition. The case of the Applicant is that an ex-parte award was passed against him on 1 October 2012. The award was neither served on the Applicant nor notice thereof was given to the Applicant. The Applicant learnt about the ex-parte award only after an application for execution was made before the Civil Judge, Satna, M.P. The Applicant, thereafter, addressed a communication dated 4 August 2015 to the Arbitrator arraigned as Respondent No.4 to the present Notice of Motion. In spite of receipt of this notice, the arbitration award was not made available to the Applicant. Learned Counsel for the Applicant submits that after the Applicant approached the present Advocates for challenging the

arbitration award, a copy of the award was procured from the executing Court and, on the basis of this copy, the present application is filed.

2. The Notice of Motion is duly served on the Respondents. An affidavit in proof of such service has been filed by the Applicant. The Respondents are absent despite service. There is no reply to the Notice of Motion.

3. The delay, if any, in the premises, is condoned and the Registry is directed to register the arbitration petition. The arbitration petition, subject to the other office objections being removed and subject to it being registered, shall appear on board for admission on 24 February 2016. The Applicant-Original Petitioner shall serve the arbitration petition afresh on the Respondents. Notice of Motion is disposed of accordingly.

(S.C. GUPTE, J.)