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

NOTICE OF MOTION NO.2021 OF 2015
IN
ARBITRATION PETITION (LODGING) NO.297 OF 2014

Nirmal Bang Commodities Pvt. Ltd. ...Applicant

IN THE MATTER BETWEEN :

Nirmal Bang Commodities Pvt. Ltd. ...Petitioner

V/s.

Laxman Bharwaney ...Respondent

Mr.Jayant Gaikwad i/b Ajay Khandhar & Co. for the Applicant /
Petitioner.

None for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 9TH AUGUST, 2016.

P.C. :-

1. By this notice of motion the applicant seeks condonation of delay of 15 months and 22 days in filing the notice of motion and for setting aside the order dated 1st July, 2014 passed by the learned Prothonotary & Senior Master rejecting the arbitration petition under Order 986 of the Bombay High Court (O.S.) Rules and seeks restoration of the petition.

2. I have heard the learned counsel for the applicant and

have perused the affidavit in support of the notice of motion. The applicant has already filed the notice of motion for condonation of delay of 2 days in filing the arbitration petition. Learned counsel for the applicant states that there are no other office objections.

3. The statements made in the affidavit in support of the notice of motion are accepted.

4. For the reasons recorded in the affidavit in support of the notice of motion, the notice of motion is made absolute in terms of prayer clauses (a) and (b). Arbitration Petition (Lodging) No.297 of 2014 is restored to file. No order as to costs.

5. Place the Notice of Motion No.888 of 2014 on board for hearing and final disposal on 24th August, 2016. The applicant is directed to serve the proceedings in the notice of motion as well as in the arbitration petition upon the respondent and shall file an affidavit of service before the next date.

(R.D. DHANUKA, J.)