

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2136 OF 2015
IN
ARBITRATION PETITION (L) NO. 776 OF 2014

Bajirao Yashwant Pawar

..... Petitioner

VERSUS

Indiabulls Financial Services Ltd.

..... Respondent

Mr.Shahzad Pandey, i/b. Law Charter for the Petitioner/Applicant.

None for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 17th MARCH, 2016

P.C.

Learned counsel appearing for the petitioner tenders two affidavits of service and states that respondent is served. Affidavits of service are taken on record. None appeared for the respondent though served.

2. By this notice of motion, the petitioner seeks condonation of delay of 98 days in filing the notice of motion for setting aside the order dated 24th August, 2015 passed by the learned Prothonotary and Senior Master and seeks restoration of the arbitration petition to file and further seeks extension of two weeks to remove all office objections.

3. I have heard the learned counsel for the petitioner and I have perused the affidavit in support of the notice of motion. The petitioner has sufficiently explained the delay in filing this notice of motion and in not removing the office objections. It is submitted that the court fees as directed by the learned

Prothonotary and Senior Master was already paid as is evident from the e-challan dated 21st September, 2015, however on that day e-filing Department of the High Court could not verify the court fees paid by e-challan.

4. For the reasons recorded in the affidavit in support of the notice of motion, notice of motion is made absolute in terms of prayer clauses (a) and (b).

5. The petitioner is directed to remove all other office objections if any, within two week from today, failing which arbitration petition to stand dismissed without further reference to court. If is made clear that no further extension would be granted.

[R.D. DHANUKA, J.]