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

NOTICE OF MOTION NO. 873 OF 2016
IN
NOTICE OF MOTION (L) NO. 1720 OF 2015
IN
ARBITRATION APPLICATION (L) NO. 1303 OF 2013

M/s Ram Narayan Construction ...Applicant/Petitioner
VS
The Chief Engineer (BW) MTNL & Anr....Respondents

.....
Mr Yogendra Singh i/b Auris Legal for the Applicant/Petitioner
Ms S.I.Shah i/b S.I.Shah & Co. for the Respondents.
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CORAM : **B.P.COLABAWALLA, J.
SEPTEMBER 26, 2017.**

P.C.:

This Notice of Motion has been filed to restore Notice of Motion (L) No.1720 of 2015 in Arbitration Application (L) No.1303 of 2013 which was dismissed under Rule 986 of the Bombay High Court Original Side Rules for non-removal of the office objections.

2 Though I find that no proper explanation has been given, I do not want to deprive the Petitioner from arguing its

the Section 11 application on merits. Hence, this Motion is allowed in terms of prayer clause (a) subject to payment of costs of Rs.10,000/- which is to be paid within a period of two weeks from today to the Mahanagar Telephone Nigam Ltd. failing which this Notice of Motion shall stand dismissed without further reference to the Court. The Notice of Motion is disposed of accordingly.

(B. P. COLABAWALLA, J.)