

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
NOTICE OF MOTION NO.280 OF 2017**

**IN**

**COMMERCIAL ARBITRATION PETITION NO. 188 OF 2017**

Ambay Valley Ltd.

**In the matter between**

Ambay Valley Ltd.

Versus

Tolani Shipping Co.Ltd.

...Applicant/  
Ori.Petitioner

...Respondent

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Mr.Kazan Shroff a/w Ms.Nupur Desai i/b Markand Gandhi &  
Co. for the Petitioner.

Mr. Robin Jaisinghani a/w Mr.Jacinta D'silva for the  
Respondent.

**CORAM: M.S.SANKLECHA, J**

**DATED: 14<sup>th</sup> September,2017**

**PC:-**

1. This Notice of Motion has been taken out by the Applicant, seeking condonation of 2 days delay in filing the Arbitration Petition under Section 34 of the Arbitration and Conciliation Act 1996 (the Act). The Petitioners challenges the Arbitral Award dated 4<sup>th</sup> October, 2016 passed by the Arbitral Tribunal.

2. Admittedly, Petition has been filed within the period of 120 days. There is a delay of two days in filing the Petition within the normal period of three months provided under Section 34 (3) of the Act.

3. I have perused the affidavit and additional affidavit in support of the Notice of Motion and am satisfied with the explanation given for the delay.

4. Thus, Notice of Motion is allowed in terms of prayer clause (a).

**(M.S.SANKLECHA, J.)**