

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

IN ITS COMMERCIAL DIVISION

COMM. ARBITRATION PETITION NO.88 OF 2016

India Factoring & Finance Solutions Limited)....Petitioners

V/s.

Joeli Export Private Limited & Ors.)....Respondents

Mr.Vivek Patil a/w Mr.Yogendra Shirwadkar i/by Vivek Patil &
Associates for petitioners.

None for respondents.

CORAM : K.R.SHRIRAM,J

DATE : 8.11.2017

P.C.:-

1 Counsel appearing for petitioners states that when petitioners attempted to serve the order dated 19.9.2017 upon respondents, the packets sent by the registry to respondent nos.1 to 3, 4, 5, & 7 were returned with the endorsement “not found”, “shifted” “not found, shifted”, “not found” and “shifted”, respectively. Counsel states that packets sent to respondent no.6 has been delivered. Counsel undertakes to file affidavit of service within one week from today.

2 So far as respondent nos.1, 2 & 5 are concerned, counsel states that the petition when served earlier on these 3 respondents at

the same addresses to which the order dated 19.9.2017 was forwarded, the said respondents had accepted service. Counsel further states that the addresses of respondent nos.1 to 5 and 7 are the same as given in the MCA website even today. Counsel undertakes to include this fact also in the affidavit of service to be filed.

3 The order passed on 19.9.2017 is confirmed as order in this motion to the extent that it would be relating to only the properties mentioned in Exh.11 against respondent nos.1, 2, 4, 5, 6 and 7.

4 So far as respondent no.3 is concerned, the property is not identified correctly and therefore, the question of granting any injunction does not arise.

5 The counsel appearing for petitioners states that within two weeks from today, petitioners will commence arbitration proceeding. Statement accepted. It is made clear if it is not commenced, the interim order will stand vacated without reference to the court.

6 Petition accordingly disposed.

(K.R.SHRIRAM,J)