

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3032 OF 2015

Arjun Kacharu Thakare

..... Petitioner

VERSUS

**The Nashik Merchants Co-operative
Bank Limited, Nashik**

..... Respondent

Ms.Divya Parab, i/b. Mr.R.N.Gite for the Petitioner.

CORAM : R.D. DHANUKA, J.

DATE : 24th AUGUST, 2018

P.C.

By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 3rd February, 2015 passed by the learned Principal District Judge, Nashik dismissing the application for condonation of delay of 440 days. Under section 34(3) of the Arbitration and Conciliation Act, 1996, the court has no power to condone the delay beyond a period of 30 days after expiry of three months and that also if sufficient cause is made out.

2. Admittedly in this case, the delay was of 440 days and thus the learned Principal District Judge, Nashik has rightly dismissed the application for condonation of delay.

3. Writ petition is devoid of merit and is accordingly dismissed.
No order as to costs.

[R.D. DHANUKA, J.]