

rrpillai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 614 OF 2018

Suvidhaa Infoserve Pvt. Ltd.

... Petitioner

vs.

Sumit Valecha

... Respondent

Mr. Mutahhar Khan i/b Mr. Rajesh Omprakash Gupta for the Petitioner.

None for the Respondent.

CORAM : A.K. MENON, J.

DATE : 10th SEPTEMBER, 2018

P. C.

1 Learned counsel for the petitioner submits that the respondent has been duly served. He tenders affidavit of service dated 10th September, 2018 which indicates that the notice sent by courier has been returned since party has shifted as seen from the consignment details at Exhibit-C. Further it is pointed out by the learned counsel for the petitioner that the respondent has also been served by email at an address provided as per the agreement clause no. 20.12 providing for address for service of notice.

2. In the circumstances, since the arbitrator is now unable to proceed for want of time, one more opportunity is granted to the claimants to comply with the

directions of the arbitral tribunal. It will be open for the arbitral tribunal to ascertain whether the respondent has been properly served. If the arbitrator is satisfied that the respondent has been duly served and in the event the respondent remains absent the petitioner will be entitled to proceed ex-parte in the matter.

3. Meanwhile mandate of the learned arbitrator is extended by six months. No further extension will be granted.

4. Petition disposed of in the above terms.

(A.K. MENON, J.)

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signed by
Rajeshwari
Ramesh
Pillai
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