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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 1386 OF 2018
IN
ARBITRATION PETITION (L)NO. 602 OF 2018
WITH
NOTICE OF MOTION (L) NO. 1387 OF 2018
IN
ARBITRATION PETITION (L)NO. 602 OF 2018

Union of India ... Applicant

vs.

Tankrete India Ltd. ... Respondent

Mr. T. J. Pandian for the Applicant.

Mr. Balaram Mohanty for the Respondent.

CORAM : A.K. MENON, J.

DATE : 16th JULY, 2018

P. C.

1. Mr. Mohanty states that he has instructions to appear for the respondent and undertakes to file vakalatnama within one week from today.

2. In this Arbitration Petition filed under Section 37 of the Arbitration and Conciliation Act, 1996 the petitioner has taken out this Notice of Motion seeking condonation of three days delay in filing the petition. The Award is dated 27th February, 2018 and it is stated to have been served upon the petitioner on 1st March, 2018. The petition has thereafter been lodged on 4th June, 2018. In the

circumstance the delay of three days in my view can be condoned on the basis of the averment made in the affidavit of Shri Satya Prakash Mittal, Deputy Chief Engineer (TS), Western Railway and sets out in paragraph 3 to the affidavit reasons why the delay has occurred. In any event Mr. Mohanty on instructions states that he has no objection to the delay being condoned.

3. Accordingly, I pass the following order :

- (i) Notice of motion is made absolute in terms of prayer clause (a).
- (ii) All office objections to be removed within two weeks from today. i.e. on or before 30th July 2018. If office objections are removed, list the petition per CMIS.
- (iii) If office objections are not removed the petition will stand dismissed without further reference to the Court.
- (iii) Notice of Motion is disposed.

Rajeshwari
Ramesh
Pillai

Digitally signed
by Rajeshwari
Ramesh Pillai
Date:
2018.07.17
10:54:16 +0530

(A.K. MENON, J.)