

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1663 OF 2017  
IN  
APPEAL (L) NO. 508 OF 2015  
IN  
ARBITRATION PETITION NO. 648 OF 2015

WITH  
APPEAL (L) NO. 508 OF 2015

|                             |   |            |
|-----------------------------|---|------------|
| Three Circles Contractors   | } | Applicant  |
| in the matter of            |   |            |
| Three Circles Contractors   | } | Appellant  |
| versus                      |   |            |
| Board of Trustees of        | } |            |
| Jawaharlal Nehru Port Trust | } | Respondent |

Mr. Udaya S. Samudrala for the applicant.

Mr. Milan Bhise with Mr. Amit Bhawe and  
Mr. Vinod Sakpal I/b. M/s. Milan Bhise  
and Co. for the respondent.

CORAM :- S. C. DHARMADHIKARI &  
S. V. KOTWAL, JJ.

DATE :- NOVEMBER 1, 2018

P.C. :-

1. We have heard both sides.
2. In the light of the affidavit in support and since the application does not lack *bona fides* and a view has consistently been taken that a party like the appellant should be afforded an opportunity to satisfy the court on merits of the appeal, we grant

the prayers in the notice of motion. It is made absolute in terms of prayer clause (a). The formal order of the Prothonotary and Senior Master in that regard is recalled. We condone the delay in filing the application for restoration of this appeal. The Registry shall now proceed to register the appeal provided due compliance has been made with the Bombay High Court (Original Side) Rules, 1980. The compliance be made within a period of three weeks from today.

3. The notice of motion is disposed of. There would be no order as to costs.

(S. V. KOTWAL, J.)

(S.C.DHARMADHIKARI, J.)