

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****NOTICE OF MOTION NO. 2700 OF 2016****IN****ARBITRATION PETITION (L) NO. 394 OF 2016****Amreek Singh Bhambra****..... Applicant****IN THE MATTER BETWEEN****Amreek Singh Bhambra****..... Petitioner****VERSUS****M/s.Tata Capital Financial Services
Limited & Anr.****..... Respondents**

Mr.Jayesh Kalanke for the Petitioner.

Mr.Almira Lasrado, a/w. Ms.Shilpa Upadhyay, i/b. Indialaw for the Respondents.

CORAM : R.D. DHANUKA, J.**DATE : 13th APRIL, 2018****P.C.**

By this notice of motion, the applicant seeks recall of the order dated 28th September,2016 passed by this court dismissing the Notice of Motion No.2252 of 2016 for default and also prayed that the order dated 14th June, 2016 passed by the learned Prothonotary and Senior Master be set aside by which the arbitration petition is dismissed for non-compliance of the conditional order passed by the learned Prothonotary and Senior Master under Rule 986 of the Bombay High Court (Original Side) Rules.

2. Learned counsel for the respondent opposes this notice of

motion on the ground that the applicant has not made out a case for the reliefs prayed.

3. No affidavit in reply has been filed by the respondent.

4. I have heard the learned counsel for the parties and have perused the averments made in the affidavit in support of the notice of motion. The applicant has made out a case for grant of reliefs as prayed in the notice of motion on the condition that the applicant removes all office objections within four weeks from today.

5. Notice of motion is made accordingly absolute in terms of prayer clauses (a) and (b) on the condition that the applicant removes all office objections within four weeks from today.

6. It is made clear that no further extension of time would be granted. If the office objections are not removed within four weeks from today, order passed by this court today to stand vacated without further reference to court. No order as to costs.

[R.D. DHANUKA, J.]