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

NOTICE OF MOTION NO.2051 OF 2017
IN
ARBITRATION PETITION (LOGGING) NO.1013 OF 2017

Union of India & Anr. ...Applicants

IN THE MATTER BETWEEN :

Union of India & Anr. ...Petitioners

V/s.

Prakash Cargo Express ...Respondent

Mr.Chetan Agarwal for the Applicants / Petitioners.

Mr.Mutahhar Khan i/b Mr.Rajesh Gupta the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 21ST MARCH, 2018.

P.C. :-

1. By this notice of motion the applicants seek condonation of delay of 13 days in filing the arbitration petition. No affidavit in reply has been filed by the respondent, though served.
2. I have heard the parties and have perused the averments made in the affidavit in support of the notice of motion. The applicants have made out a case for condonation of delay of 13 days. The applicants have sufficiently explained the delay of 13 days in filing the arbitration petition.

3. For the reasons recorded in the affidavit in support of the notice of motion, the delay of 13 days in filing the arbitration petition is condoned. The notice of motion is made absolute in aforesaid terms. No order as to costs.

4. The applicants are directed to remove all the office objections within two weeks from today. It is made clear that no further extension would be granted. If all the office objections are not removed within two weeks from today, the arbitration petition to stand dismissed without further reference to the Court.

5. If all the office objections are removed within two weeks from today, place the arbitration petition on board for admission on 25th April, 2018. Affidavit in reply shall be filed by the respondent within two weeks after removal of all office objections and a copy thereof shall be served upon the petitioners' advocate simultaneously. Rejoinder, if any, shall be filed within one week from the date of service of the affidavit in reply and a copy thereof shall be served upon the respondent's advocate simultaneously.

(R.D. DHANUKA, J.)