

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 9 OF 2019
IN
ARBITRATION PETITION NO. 103 OF 2018

M/s. Geosmart Engineering Pvt. Ltd. ... Applicant/Petitioner

Versus

M/s. J. Kumar ... Respondent

Ms. Pushpa Upadhyay for the Applicant/Petitioner.
None for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 22nd FEBRUARY, 2019

P.C.:

1. On 13th December, 2018, this Court passed the following order :

“The above Petition is called out twice i.e. in the morning as well as in the afternoon session. However, none appear for the Petitioner. In view thereof, the above Petition is dismissed for want of prosecution.”

2. The Petitioner has now taken out the above Civil Application for recall of the above order. The Civil Application is served on the Respondent. Despite service, none appear for the Respondent. For the reasons set out in the Affidavit filed in support of the Civil Application, the Civil Application is allowed, the Order dated 13th December, 2018 is set aside and the Arbitration Petition is placed on board for hearing on 15th March, 2019. The Advocate for the Petitioner shall serve a copy of this order on the Respondent by hand-delivery. The above Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)