

vai

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

NOTICE OF MOTION NO.2053 OF 2019
IN
ARBITRATION PETITION NO.139 OF 2017

Angel Broking Pvt. Ltd. ...Applicant / Petitioner

V/s.

Lila Jain ...Respondent

Mr.Deepak D. and Mr.Ravikant Purohit i/b M/s.Corporate Pleaders
for the Applicant / Petitioner.

Mr.Vikrant D. Shetty for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 11TH SEPTEMBER, 2019.

P.C. :-

1. By this notice of motion, the applicant seeks recall of the order dated 11th January, 2019 by which Arbitration Petition No.139 of 2017 was dismissed for default at the admission stage. No affidavit in reply has been filed though served. The applicant has explained the reasons for remaining absent when the matter was called out and for condonation of 164 days delay in filing the notice of motion in the affidavit in support of the notice of motion and more particularly in paragraphs 6 to 10. For the reasons recorded in the affidavit in support of the notice of motion, the order dated 11th January, 2019 passed by this Court is recalled. The Arbitration Petition No.139 of 2017 is restored to file.

2. The notice of motion is disposed of in aforesaid terms.
There shall be no order as to costs.

(R.D. DHANUKA, J.)