

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO.2804 OF 2016****IN****ARBITRATION PETITION NO.1310 OF 2015**

Kishore Balram Nichani

....Petitioner

vs

Dish Hospitality Pvt. Ltd.

(Formally known as Big Easy Concept Pvt. Ltd.)

...Respondent

.....

Ms. Vidita Bhalekar, I/b. Mr. Sameer R. Bhalekar earlier advocate for the Petitioner.

Mr. Anirudh Hariani, a/w. Ms. Viloma Shah, i/b. Hariani & Co., for the Respondent.

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CORAM : S.C. GUPTE, J.**DATED: 6 MARCH, 2019****P.C.:**

. None appears for the Petitioner. This notice of motion has been taken out by the original Petitioner for recall of a consent order disposing of the arbitration petition. Learned Counsel, instructed by Mr. Sameer Bhalekar, Advocate, originally appearing for the Petitioner, informs the Court that Mr. Bhalekar has already taken discharge, as communicated to this Court and noted by the Court in its order dated 13 February 2019. Learned Counsel submits that the Advocate's chamber order in that behalf has been already allowed by the office on 28 February 2019. Learned Counsel submits that as directed by this Court, in its order of 13 February 2019, Mr. Bhalekar has duly communicated

today's date of hearing to the Petitioner. Learned Counsel submits that a communication in that behalf was made part of the Advocate's chamber order. She produces a copy of the communication. The communication has been duly received by the Petitioner. None, however, appears for the Petitioner in support of the petition. It was made clear in the order of 13 February 2019 that no adjournment would be granted to the Petitioner on today's date on any ground. In the premises, the notice of motion is dismissed for want of prosecution.

(S.C. GUPTE, J.)