

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****NOTICE OF MOTION NO. 2888 OF 2016****IN****ARBITRATION PETITION (L) NO. 764 OF 2016****Naresh Kumar Sahoo****..... Applicant
(Org.Petitioner)****IN THE MATTER BETWEEN****Naresh Kumar Sahoo****..... Petitioner****VERSUS****L & T Finance Limited & Ors.****..... Respondents****Mr.K.C.Prusty, i/b. Mohanty & Associates for the Applicant/Petitioner.****Ms.S.I.Joshi, i/b. S.I.Joshi & Co. for the Respondent no.1.****CORAM : R.D. DHANUKA, J.****DATE : 17th JUNE, 2019****P.C.**

The applicant has filed this notice of motion for condonation of delay in filing the arbitration petition. In paragraph (7) of the affidavit in support of the notice of motion, it is submitted that the applicant has received the copy of the award from the learned arbitrator in the month of December 2012. The arbitration petition is lodged on 27th June, 2016 which is much beyond the period of 3 months from the date of service of the copy of the award from the learned arbitrator. This court has no power to condone the delay beyond the period of 30 days from the date of expiry of period of 3 months from the date of service of signed copy of award in filing arbitration petition.

2. Notice of motion is accordingly dismissed.
3. In view of the dismissal of the notice of motion for seeking condonation of delay, Arbitration Petition (L) No. 754 of 2016 is also dismissed. No order as to costs.

[R.D.DHANUKA, J.]