

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

Review Petition (L) NO. 54 OF 2019  
IN  
Commercial Arbitration Petition NO. 1058 OF 2019

|                               |                |
|-------------------------------|----------------|
| Aditya Birla Finance Limited. | ...Petitioner  |
| In the matter between         |                |
| Aditya Birla Finance Limited. | ...Petitioner  |
| <i>Versus</i>                 |                |
| Mr.PPonnupandian And Ors.     | ...Respondents |

AND  
INTERIM APPLICATION NO.1 OF 2019

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Mr.Aseem Naphade with Nikhil Mehta i/b. KMC Legal Venture, for the Applicant.

Mr.Sharif Khan i/b. Prasad Iyer, for the Respondents.

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CORAM : G.S. KULKARNI, J.

DATE : 16<sup>th</sup> December, 2019

**PC.:**

1. Having perused the interim application seeking condonation of delay in filing the review petition, the same stands allowed.
2. Mr.Naphade, learned Counsel for the petitioner in all fairness would point out that when the Court passed the order dated 29 July 2019, it was a mistake on the part of the applicant in not pointing out to the Court that only symbolic possession was taken over by the applicant and nonetheless appeal was filed.
3. Accordingly, by consent of the parties, the order dated 29 July 2019 is recalled.
4. Let the arbitration petition be heard by the regular Court. Ordered accordingly.
5. Review petition is accordingly disposed of in the above terms.

[G.S. KULKARNI, J.]