

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1574 OF 2019
IN
ARBITRATION PETITION NO. 701 OF 2019

Virendra Singh Hada

**..... Applicant/
Petitioner**

VERSUS

Fincruise Credit Services Pvt. Ltd.

..... Respondent

Mr. Jayant Mestry for the Applicant/Petitioner.

None for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 31st JULY, 2019

P.C.

By a separate order passed by this court in the arbitration petition, this court has already admitted the arbitration petition after hearing the learned counsel appearing for the petitioner and after perusing the annexures to the arbitration petition. It is the case of the applicant that the award was rendered *ex-parte* without effecting service of any of the papers and proceedings and also the notice. The applicant has thus made out a case for grant of unconditional stay in terms of prayer clause (a) of the notice of motion. Notice of motion is made absolute in terms of prayer clause (a).

2. It is made clear that the respondent would be at liberty to file affidavit in reply within four weeks from the date of communication of this order along with the records and proceedings of the arbitration simultaneously.

3. If any such records and proceedings are filed by the respondent

with the office of the learned Prothonotary and Senior Master of this court, the applicant would be at liberty to seek inspection of the records and proceedings. No order as to costs.

[R.D. DHANUKA, J.]