

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

**NOTICE OF MOTION NO. 767 OF 2019
IN
APPEAL (L) NO. 180 OF 2019**

Municipal Corporation of Greater Bombay .. Appellant
Versus
M/s. Nagarjuna Construction Compnay Ltd. .. Respondent

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• Mr. P.G.Lad a/w. Ms. Yamuna Parekh i/by Aruna Savla for Appellant
.....

**CORAM : S. J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

**DATE : JULY 27, 2021.
(Through Video Conferencing)**

P.C.:

. None for the Respondent though served.

2. The above Appeal is filed by the Municipal Corporation of Greater Mumbai impugning the order dated 22.01.2019 passed by the learned Single Judge whereby the Arbitration Petition preferred by the Appellant / Petitioner under Section 34 of the Arbitration and Conciliation Act, 1996 came to be dismissed. The above Notice of Motion is taken out in the said Appeal seeking condonation of delay of 39 days in filing the appeal.

3. In view of the explanation given in paragraph Nos. 5 and 6 of the Affidavit in support of the Notice of Motion dated 03.05.2019, the

delay of 39 days in filing the Appeal is condoned.

4. The Notice of Motion stands disposed of.
5. Place the above Arbitration Appeal for admission / hearing on 30th July 2021.

[MILIND N. JADHAV, J.]

[S. J. KATHAWALLA, J.]