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

NOTICE OF MOTION NO.2463 OF 2019

IN

ARBITRATION PETITION (L) NO.1049 OF 2018

Union of India

...Applicant /
Petitioner

Versus

M/s. Patel Construction Co.

...Respondent

Mr. N.C. Walimbe, Senior Panel Counsel Group I for the Applicant /
Petitioner.

None for the Respondent.

CORAM : R.I. CHAGLA J

DATE : 9 JUNE 2023

ORDER :

1. By this Notice of Motion, the Applicant / Original
Petitioner is seeking condonation of delay of three days in filing the
Arbitration Petition. The Notice of Motion has been served on the
Respondent by email dated 6th June, 2023. Further, the Court has
issued notice on the Respondents on 3rd April, 2023.

2. Considering the averments in the Affidavit in Support of the Notice of Motion and the explanation for the delay in filing the Arbitration Petition in paragraph 3 of the said Affidavit which is stated to be on account of the procurement of Court fees stamp in matter, I am of the view that there is satisfactory explanation for the delay.

3. The Respondent inspite of being served has remained absent. Accordingly, the relief sought for in the Notice of Motion is granted. Hence, the following order:-

1. The delay of 3 days in filing the Arbitration Petition is condoned.

2. The Notice of Motion is accordingly disposed of.

3. Place the Arbitration Petition on 19th June, 2023 for admission.

[R.I. CHAGLA J.]