

K.S. Jadhav

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

**ARBITRATION PETITION (L) NO.590 OF 2019
WITH
NOTICE OF MOTION NO.2310 OF 2019**

**Sanjivi Institute of Orthopedics and
Super Specialities Pvt. Ltd. & Anr.,**

...Petitioners

Versus

India Infoline Finance Ltd. & Ors.,

...Respondents

None for Petitioners.

CORAM : R.I. CHAGLA, J.

DATE : 6TH JUNE, 2023.

ORDER :

1. The Arbitration Petition has been listed under the caption 'for dismissal' vide order dated 5th April, 2023. This Court had noted that the Petition was listed only once, as far back on 3rd June, 2019, when the Petitioners gave an undertaking that they would pay the Court Fees within two weeks. Thereafter, the Petition was not listed and no efforts were made on behalf of the Petitioner to get the Petition listed for consideration. On the said date, i.e. on 5th April,

2023, when the Petition was called out for hearing, none appeared on behalf of the Petitioner.

2. Having considered the order dated 5th April, 2023 as well as noting the fact that the matter has been listed today under the caption 'for dismissal' and none appeared for the Applicant/Petitioner, it is evident that the Applicant/Petitioner is not interested in prosecuting the matter.

3. Accordingly, the Arbitration Petition (L) No.590 of 2019 alongwith Notice of Motion No.2310 of 2019 is dismissed for default.

[R.I. CHAGLA, J.]