

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 8523 OF 2024
IN
ARBITRATION PETITION NO. 187 OF 2022**

Vijay Balkrishna Rochlani	...Applicant
Versus	
Anant Digambar Zambre	...Respondent

Mr. Kunal Kamath, Advocate for the Applicant.
Mr. Vinod Hiranwale, Advocate for Respondent.

CORAM : M. M. SATHAYE, J.

DATED : 11 SEPTEMBER 2024

P.C.:

1. Heard learned counsel for the parties.
2. This is an application for restoration of above Arbitration Petition which was dismissed for default on 9 November 2023, because the Advocate for the Petitioner failed to appear. Learned Advocate for the Respondent opposes the application on the ground that no sufficient cause is made out.
3. It is stated in the application that the earlier Advocate for the Petitioner failed to appear in the matter diligently and therefore it has been dismissed for default. The Application for restoration has been filed diligently.

Digitally signed
by SUNNY
ANKUSHRAO
THOTE
Date:
2024.09.12
14:36:31 +0530

4. Considering the aforesaid facts and circumstances, sufficient cause is made out, however the Respondent will have to be compensated.
5. Subject to the Applicant paying an amount of Rs.10,000/- as cost to Respondent directly, within a period of four weeks from today, the application is allowed and the above Arbitration Petition is restored to file for hearing on merits. It is clarified that if the amount is not paid within the stipulated time, this application will stand dismissed without any further reference to the Court.
6. Costs can be paid through any of the possible modes and its proof is to be submitted in the Registry. Respondent to co-operate for accepting the costs, if offered within stipulated time.
7. Interim Application stands disposed off.

(M. M. SATHAYE, J.)