

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION NO. 237 OF 2024

Tata Motors Finance Limited

...Petitioner

Vs.

Fast Track Logistics & Anr.

...Respondents

Mr. Gaurav Jangle a/w Kunjita Shah i/by I V Merchant & Co. for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 18TH SEPTEMBER, 2024

P.C.:-

1. By my previous order dated 19th August, 2024 I have granted interim relief in terms of prayer clauses (b) and (d) of the Petition.

2. Mr. Jangle, Learned Counsel for the Petitioner submits that a copy of this order has been duly served upon the Respondents both by email as also by RPAD. He informs that insofar as the email is concerned, the same has been duly received by the Respondents since it is the same email address mentioned in the agreement. Learned Counsel further submits that insofar as service by way of RPAD is concerned, the Respondents have refused to accept service and hence service is proved. Learned Counsel undertakes to file Affidavit of Service in this regard. It is thus Learned Counsel submits that Court notice be issued to the

Respondents to compel the Respondents to appear and comply with the orders of this Court.

3. After having heard Learned Counsel for the Petitioner, I am satisfied that the Respondents are evading service and attempting to defeat the execution of the orders of this Court. Hence, let notice be issued to the Respondents returnable on 9th October, 2024.

4. It is made clear that in the event none appears on behalf of the Respondents on the next date, the Court shall proceed to pass such orders to compel the appearance of the Respondents including by issuing a non-bailable warrant, if necessary.

5. Stand over to 9th October, 2024.

(ARIF S. DOCTOR, J.)