



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

CIVIL APPLICATION (CAO) NO. 135 OF 2024
IN
MISC. CIVIL APPLICATION ST. NO. 19693 OF 2023
IN
ARBITRATION APPEAL ST. NO. 8467 OF 2022
PROJECT DIRECTOR, N. H. A. I., NAGPUR AND ANOTHER
VERSUS
THE ARBITRATOR (ADDL. COMMISSIONER,) NAGPUR AND OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. A. A. Kathane, Advocate for the applicants.
Mr. Ganesh Umale, A.P.P. for non-applicant no.2

CORAM : G. A. SANAP, J.
DATE : NOVEMBER 28, 2024.

1. Heard Mr. A. A. Kathane, learned advocate for the applicants.
2. This is an application for condonation of 428 days delay caused in filing application for setting aside the order of dismissal of the arbitration appeal.
3. I have gone through the application. The arbitration appeal was dismissed by the Registrar (Judicial) on account of non-removal of the office objections, by order dated 07.07.2022.
4. Mr. Kathane, learned advocate for the applicants submits that in majority of the matters, the objections have been removed. It is submitted that this appeal and one another appeal only missed the attention of the learned advocate.

5. The record shows that the notice was not issued to the non-applicants. In view of the reasons stated in the application, in my view, the delay deserves to be condoned. Accordingly, the 428 days delay caused in filing application for restoration of the appeal, is condoned.
6. The application is allowed and disposed of.
7. The Misc. Civil Application St. be registered.

Misc. Civil Application St. No. 19693 of 2023

1. Heard Mr. A.A. Kathane, learned advocate for the applicants.
2. This is an application for restoration of the Arbitration Appeal, which was dismissed by the Registrar (Judicial) vide order dated 07.07.2022, for non-removal of the office objections.
3. Perused the application. The reasons have been stated in the application for non-removal of the office objections. Learned advocate for the applicants submits that he is ready to remove the office objections forthwith.
4. In view of the reasons stated in the application, the application is allowed. The order dated 07.07.2022 dismissing the arbitration appeal, passed by the Registrar (Judicial), is set aside.
5. The Arbitration Appeal be restored to file.
6. The Misc. Civil Application stands disposed of. No order as to the costs.

(G. A. SANAP, J.)

Diwale