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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 6243 OF 2025
IN
COMMERCIAL ARBITRATION PETITION (L) NO. 28945 OF 2023**

Shiva Taxyarn Ltd.

... Applicant/
Petitioner

vs.

Louis Dreyfus Company India Pvt. Ltd.
Formerly known as Louis Dreyfus
Commodities India Pvt. Ltd.)

... Respondent

Mr. Gaurav Mehta i/b. Bachubhai Munim & Co. for the
Applicant/Petitioner.

Mr. Rutwij Bapat i/b. Mr. Mukri for Respondent.

CORAM : GAURI GODSE, J.

DATED : 5th DECEMBER 2025

ORDER:

1. This application is for restoration of the arbitration petition which stands dismissed for non-removal of office objections pursuant to the conditional time granted vide order dated 26th August 2024 passed by the Learned Prothonotary and Senior Master.

2. Learned counsel for the Applicant/Petitioner points out the reasons stated in the application for restoration. He relies upon the

various correspondence by the petitioner with the earlier advocates seeking information about the progress in the petition. He submits that the petitioner was unaware about the status and the dismissal of the petition. It was only on 26th August 2025 when the petitioner's advocate based at Coimbatore accessed the case status of the petition and learnt that the petition stands dismissed. Thereafter immediate steps are taken to file the application for restoration. He, therefore, submits that there are sufficient reasons stated in the application to condone the delay and restore the petition. He submits that all the office objections shall be removed within two weeks from today.

3. Learned counsel for the respondent opposes the application on the ground that the petitioner was aware since 23rd August 2023 that office objections were to be removed. Hence, only blaming the earlier advocates would not be a sufficient ground to restore the petition by condoning delay.

4. I have perused the papers of the application and the copies of the printouts of the emails attached to the application. The reasons for restoration and delay condonation are sufficiently explained in the application. I see no reason to disbelieve the grounds raised in the application for condonation of delay as well as for restoration.

Though there is no specific prayer for condonation of delay, the grounds raised in the application are sufficient to condone the delay.

5. Hence, for the reasons stated in the application, delay in filing the application is condoned and the Interim Application is allowed in terms of prayer clause (a) subject to the learned advocate for the petitioner removing all the office objections within two weeks from today,

6. After the objections are removed, office shall restore the petition and list it for admission.

(GAURI GODSE, J.)