ARUNA SANDEEP TALWALKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 1130 OF 2026
IN
ARBITRATION PETITION (L) NO. 29144 OF 2025

National Agriculture Supply National Agriculture Supply Compa ...Applicant/ Petitioner.

Versus

Larsen And Tourbo ...Respondent.

Ms. Akshita Vakharia i/b. Mr. Dharmesh Joshi, Advocate for Applicant.
Mr. Shadab Peerzade, Advocate for Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : APRIL 06, 2026

P. C. :

1. Interim Application has been preferred seeking recall of the order of 14th November, 2025 dismissing the Petition for non-prosecution and for condoning the delay of 81 days.

2. The learned Counsel appearing for the Respondent opposes the Application and would submit that there is no explanation for condoning the delay and no merits in the application.

3. Perusal of the Application would indicate that there is specific pleadings that the Applicant resides and operates his business from Amritsar, Punjab and it is due non-appearance of the erstwhile Advocate which resulted in the dismissal . It is pleaded that the Applicant had no knowledge of non-appearance of the Advocate and he was no aware of the dismissal.

4. In the light of the above, there is sufficient explanation for condonation of 81 days. As the dismissal was for non-prosecution due to the absence of the Advocates who are engaged to appear in the matter, the litigant cannot be made to suffer for the default on the part of the Advocate. Resultantly, the order of dismissal dated 14th November, 2025 is recalled. The Arbitration Petition is restored to file.

5. Interim Application is allowed.

6. List the Arbitration Petition (L) No. 29144 of 2025 on 18th June, 2026.

[SHARMILA U. DESHMUKH, J.]