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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

ARBITRATION PETITION NO. 425 OF 2010

Excel Carriers Pvt. Ltd.

...Petitioner

VS

Shreeji Works & Anr.

...Respondents.

Mr Vinod K. Sharma for the Petitioner.
Mr Anil Agarwal for Respondent No.1.

.....

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CORAM : S.C. GUPTE, J.

OCTOBER 31, 2014

P.C. :

The Petitioner has challenged an arbitral award, which is passed ex-parte against the Petitioner. It is the Petitioner's case that the Petitioner had no notice of the arbitration proceedings. By consent of the parties, the impugned award is set aside and the matter is remanded to Bharat Merchant Chamber, to be heard in accordance with the rules of the Chamber. All contentions of the Petitioner, including its objection to the jurisdiction of the Chamber to adjudicate upon the matter, are kept open. There shall be no order as to costs. The parties to appear before the Chamber on 17 November 2014 at 3.00 p.m. for preliminary meeting. The Petition is disposed of accordingly.

(S.C.GUPTE J.)