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

NOTICE OF MOTION NO. 487 OF 2018
IN
APPEAL NO. 202 OF 2018
IN
CHAMBER SUMMONS NO. 993 OF 2017
IN
EXECUTION APPLICATION NO. 765 OF 2015
IN
AWARD NO. 83 OF 2014

Dattatraya Ramchandra Parab

..Applicant/
Appellant

In the matter between

Dattatraya Ramchandra Parab
Vs.

..Appellant

Fullerton India Credit Company Ltd.
and ors.

..Respondents

None for applicant/appellant.

CORAM: PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.

APRIL 12, 2019.

P.C.

1. The appeal filed was dismissed for non prosecution on 13 April 2018 on account of no appearance being effected on behalf of the appellant. Restoration of the appeal after recalling the order dated 13 April 2018 is prayed for. Non appearance continues.

2. The appeal challenges the directions issued vide order dated 12 February 2018 in Chamber Summons No. 993 of 2017 filed in Execution Application No. 765 of 2015 which in turn related to Award No. 83 of 2014. The appellant is not aggrieved by the merits of the impugned order concerning the litigating parties. The grievance is to the notice issued to the appellant who acted as the Arbitrator. The notice is to show cause as to why contempt proceedings be not initiated. The impugned order is not an appealable order under the Contempt of Courts Act. The question of restoration of the appeal does not arise.

3. The Notice of Motion is dismissed.

N. M. JAMDAR, J.

CHIEF JUSTICE