

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 19323 OF 2026
IN COMMERCIAL ARBITRATION PETITION NO. 499 OF 2021

China Fortune Corporation Limited

...Applicant/Petitioner

Versus

Gandhar Oil Refinery India Limited

...Respondents

Mr. Sharad Bansal a/w Mr. Devesh Dange and Mr. Amogh Dabholkar i/b Adil Patel for the Applicant/Petitioner.

Mr. Shyam Kapadia a/w Mr. Arnab Ghosh i/b Manoj Khatri, for the Respondent.

CORAM : **ARIF S. DOCTOR, J.**
RESERVED ON : **7th AUGUST 2026**
PRONOUNCED ON : **8th SEPTEMBER 2026**

P.C.

1. The Petitioner, by way of the present Interim Application, has sought the following reliefs, viz.

- a. Order and declare that there is no delay in filing the Petition and take the Petition on record;*
- b. In the alternative to prayer clause (a) hereinabove, condone the delay of 530 days [calculated as of 18 June 2021] in filing the present Petition and take the Petition on record;*

- c. Grant interim/ad-interim relief in terms of prayers (a) and (b) above;*
- d. For such other and further reliefs as the case may require.*

Brief Facts:

2. Disputes had arisen between the Petitioner and the Respondent under a Voyage Charterparty Agreement dated 10th May 2013, Clause 46 of which provided for an arbitration in London in accordance with English law.
3. Arbitral proceedings subsequently commenced between the Parties and culminated in an Arbitral Award dated 16th June 2015. The Tribunal, by the Arbitral Award, dismissed both the Petitioner's claim and the Respondent's counterclaim. The Tribunal, however, reserved its order of costs.
4. Thereafter, vide an Order dated 8th September 2015, the Tribunal directed the Respondent to bear 90% of the Petitioner's costs of the arbitration. The Tribunal, however, left the quantification of the costs to be decided by the parties *inter se*. In the event that the parties were unable to agree on the quantification of such costs, the Tribunal would determine the costs.
5. As the parties were unable to reach an agreement on the quantification of costs, the Tribunal, vide an Award of Assessed Costs dated 31st October

2016 (“**the said Award**”), proceeded to quantify the costs. It is not in dispute that the said Award was not assailed and has attained finality.

6. The captioned Petition was then filed on 18th June 2021 under the provisions of Section 47 of the Arbitration and Conciliation Act, 1996 (“**the Arbitration Act**”) and seeks enforcement of the said Award together with Interim Application No. 1321 of 2021 seeking condonation of delay (“**the First Application**”). However, the First Application was withdrawn with liberty to file a fresh application as recorded in the Order of this Court dated 17th December 2024.
7. The Petitioner, then pursuant to the aforesaid liberty, filed the present Interim Application seeking condonation of delay in the filing of the captioned Petition.

Submissions on behalf of Petitioner:

8. Mr. Bansal, Learned Counsel appearing on behalf of the Petitioner at the outset, submitted that the present Application was filed only out of abundant caution. He submitted that in view of the decision of the Hon’ble Supreme

Court in *Government of India v. Vedanta Limited*¹, there was in fact no delay in the filing of the captioned Petition since the same has been filed within three years from the date on which the Petitioner had called upon the Respondent to make payment under the said Award.

9. Mr. Bansal then submitted that, prior to the decision of the Hon'ble Supreme Court in *Vedanta*, there existed uncertainty in respect of the period of limitation applicable to the enforcement of a Foreign Award. This uncertainty was ultimately resolved by the Hon'ble Supreme Court in *Vedanta*, in which it held that the period of limitation for filing an application for enforcement of a Foreign Award was governed by Article 137 of the Limitation Act, 1963, i.e., three years from the date on which the right to apply accrues. He was at pains to point out that in *Vedanta* the Hon'ble Supreme Court held that the right to apply accrued not on the date of the Award but from the date when the award-debtor issued a show-cause notice demanding payment. He pointed out that in *Vedanta*, although the Award was dated 18th January 2011, the Petition for enforcement was held to be within the limitation period on the basis that the Applicant in that case

¹ (2020) 10 SCC 1.

had issued a demand for payment on 10th July 2014, which was beyond three years from the date of the Award.

10. He submitted that, in the facts of the present case, a copy of the said Award was transmitted by the Tribunal to the Advocates for the parties on 5th January 2017, after which the Petitioner, on 3rd February 2021, addressed a notice of demand to the Respondent, calling upon the Respondent to make payment in terms of the said Award. He pointed out that the Respondent, vide its Advocate's letter dated 26th April 2021, denied liability to make payment under the Award. The present Petition was thereafter filed on 18th June 2021, which was within three years from the date of the demand for payment under the said Award. He submitted that, applying the law laid down by the Hon'ble Supreme Court in *Vedanta*, the Petition was therefore filed well within the prescribed period of limitation. He was at pains to point out that the Respondent, in the Affidavit in Reply, failed to offer any cogent basis for rejecting the Petitioner's contention in this regard.

11. Mr. Bansal then submitted that the position of law laid down by the Hon'ble Supreme Court in *Vedanta* has been followed by the Delhi High Court in its

recent decision in *Vedanta Limited v. Government of India*². He pointed out that the Delhi High Court was concerned with a petition for enforcement of two foreign awards dated 12th October 2004 and 26th October 2016 and that the petition for enforcement was filed on 22nd May 2017. He submitted that the Delhi High Court held in paragraphs 65 to 68 of the said decision that the cause of action had arisen when the award-holder received a show cause notice from the award-debtor, i.e., on 10th July 2014, the petition for enforcement, was filed within limitation, even though it was filed almost 13 years after the date of the award, i.e., 12th October 2004.

12. Mr. Bansal therefore submitted that in view of the aforesaid position of law, there was no delay in filing the present Petition, since the Petitioner's demand for compliance with the Award, made vide its Advocate's letter dated 3rd February 2021, was rejected only on 26th April 2021. He thus submitted that the Petition having been filed on 18th June 2021 was therefore well within the 3-year period.

13. Mr. Bansal, then alternatively, and without prejudice to the aforesaid, submitted that even if the Petitioner's right to apply accrued on 5th January

² Judgment dated 1st July 2026 passed by Delhi High Court in OMP (EFA) (Comm) 5/2017.

2017, when the Award was transmitted by the Tribunal to the parties, the Petitioner had, in any event, established sufficient cause for condonation of the delay. He pointed out that at the time when the said Award was made available to the Petitioner, the applicable period of limitation for enforcement of a foreign award was understood to be twelve years, in view of the decision of this Court in *Imax Corporation v. E-City Entertainment (India) Pvt. Ltd.*³ He therefore submitted that the Petitioner was fully justified in proceeding on the basis that a limitation period of twelve years applied until the legal position was subsequently clarified by the Hon'ble Supreme Court in *Vedanta*. He also submitted that in the subsequent decision of the Division Bench of this Court in *Imax Corporation v. E-City Entertainment (India) Pvt. Ltd.*,⁴ the finding on limitation by the Single Bench was allowed to attain finality, which, while applying *Vedanta*, nevertheless extended the benefit of the then-prevailing lack of clarity in the law.

14. Mr. Bansal then, relying on the decision of the Hon'ble Supreme Court in

³ 2019 SCC OnLine Bom 4044.

⁴ Judgment dated 30th December 2025 passed by the Bombay High Court in Commercial Arbitration Appeal (L) No. 38267 of 2024.

Vedanta, was at pains to point out that the Hon'ble Supreme Court had, in paragraphs 61.1 and 61.3, noted the uncertainty which existed and the divergent views with regard to the applicable period of limitation for the enforcement of foreign awards and had, on that basis, in fact, condoned the delay by observing as follows, viz.

“78. ...In any event, there are sufficient grounds to condone the delay, if any, in filing the enforcement/execution petition under Sections 47 and 49, on account of lack of clarity with respect to the period of limitation for enforcement of a foreign award.”

15.Mr. Bansal submitted that the Petitioner was also entitled to the exclusion of the period between 15th March 2020 and 28th February 2022, i.e., the Covid-19 period, in view of the decision of the Hon'ble Supreme Court in ***Re: Cognizance for Extension of Limitation***.⁵ He thus submitted that the Petition, having been filed on 18th June 2021, was within time.

16.Mr. Bansal submitted that in any event the Petitioner had set out in paragraphs 8(b) to 8(f) of the Application explaining the special circumstances which prevented the Petitioner from filing the Petition from

⁵ (2022) 3 SCC 117.

15th March 2020 up to 18th June 2021. He submitted that those circumstances constituted “sufficient cause” for condoning the delay for the period from 15th March 2020 until the filing of the Petition on 18th June 2021.

17. Basis the above, he submitted that the Petitioner was wholly justified in seeking the aforesaid reliefs as prayed for and in the alternative.

Submissions on behalf of the Respondent:

18. Mr. Kapadia, learned Counsel appearing on behalf of the Respondent, submitted that the Petition was barred by limitation since the Petitioner’s right to apply had accrued on 31st October 2016. In support of his contention, he pointed out that the Umpire had on 31st October 2016 itself addressed an email to the solicitors of the Petitioner as well as the Respondent, informing them that the said Award was available for collection upon payment of GBP 5,300. He then pointed out that the said Award also provided for interest to run from 31st October 2016, and therefore the Petitioner could not, on the one hand, claim the benefit of interest from 31st October 2016 and, on the other, contend that the Petitioner

had no enforceable right under the Award until its receipt on 5th January 2017. He submitted that the mere fact that the Petitioner had made payment only on 5th January 2017, after which the Award was made available to the Petitioner, would not postpone the commencement of limitation.

19.Mr. Kapadia submitted that, even if the Petitioner's alternate case, i.e., that limitation, which would commence only from 5th January 2017, was to be accepted, the three-year period would have expired on 5th January 2020, which was also well before 15th March 2020. He therefore pointed out that the Petition, which was filed only on 18th June 2021, was well after time had already expired. He pointed out that the Petitioner had withdrawn the First Application on 17th December 2024, with liberty to file a fresh application, which was filed after a period of approximately eighteen months, i.e., on 28th May 2026, without any explanation whatsoever for this further period of delay.

20.Mr. Kapadia, then addressing the alternative prayer for condonation of delay, submitted that where an application is filed beyond the prescribed period of limitation, the burden lies upon the party seeking condonation to

establish sufficient cause for the delay. He submitted that it was well settled that delay could not be condoned as a matter of right merely because an explanation was offered. He was at pains to point out that what was crucial was whether the explanation constituted sufficient cause for the condonation of the delay. He further submitted that the party seeking condonation was required to satisfactorily explain the entire period of delay, commencing from the date on which the period of limitation began to run until the date of filing of the application seeking condonation. In support of his contention, he placed reliance upon the decision of the Hon'ble Supreme Court in *Shivamma (Dead) by LRs v. Karnataka Housing Board*.⁶

21.Mr. Kapadia also placed reliance upon the decisions in *Basawaraj v. Special Land Acquisition Officer*,⁷ *P.K. Ramachandran v. State of Kerala*,⁸ *Lanka Venkateswarlu v. State of A.P.*⁹ and *Thirunagalingam v. Lingeswaran*¹⁰ to submit that “sufficient cause” cannot be liberally construed where negligence, inaction or want of bona fides were attributable to the party seeking condonation. He submitted that the law of limitation

⁶ 2025 INSC 1104.

⁷ (2013) 14 SCC 81.

⁸ (1997) 7 SCC 556.

⁹ (2011) 4 SCC 363.

¹⁰ (2025) INSC 672.

must be applied with full rigour, however harsh the consequences, and that it cannot be extended merely on equitable grounds. He further submitted that, while considering an application for condonation, the Court must first examine the bona fides and sufficiency of the explanation for the delay, rather than be influenced by the merits of the underlying dispute.

22. Applying the aforesaid principles to the facts of the present case, Mr. Kapadia submitted that the Application neither disclosed any steps taken by the Petitioner nor furnished any explanation for the Petitioner's inaction during the period preceding the Covid-19 pandemic. He submitted that the Petitioner had sought to explain the delay essentially on two grounds, first, the alleged uncertainty as to the applicable period of limitation, and the second, the Covid-19 pandemic. He submitted that neither explanation, however, accounted for the Petitioner's inaction during the period between October 2016 and March 2020. He also pointed out that the restrictions on account of the Covid-19 pandemic commenced only in March 2020 and therefore had no bearing upon a period of limitation which, according to him, had already expired by then.

23.Mr. Kapadia then dealt with the Petitioner's contention regarding the alleged uncertainty in law and submitted that ignorance or a mistaken understanding of the law does not constitute sufficient cause. In support of his contention, he placed reliance upon *Sitaram Ramcharan v. M.N. Nagarshana*.¹¹ He also placed reliance upon the decisions of the Hon'ble Supreme Court in *Sarwan Kumar v. Madan Lal Aggarwal*¹² and *Lily Thomas v. Union of India*¹³ to submit that the Hon'ble Supreme Court in correcting an earlier interpretation of law merely declares the law as it has always stood. He therefore submitted that the Hon'ble Supreme Court in *Vedanta* had merely declared the law as it always was and did not prospectively create or introduce a three-year period of limitation. He therefore submitted that it was not open to the Petitioner to contend that the limitation for enforcement of a foreign Award was twelve years.

24.Mr. Kapadia also submitted that the Petitioner could not seek a prayer for condonation merely by way of abundant caution. In support of his contention, he placed reliance upon the decisions in *Kempawa @*

¹¹ 1959 SCC OnLine SC 89.

¹² (2003) 4 SCC 147.

¹³ 2000 (1) ALT (CRI) 363.

*Champavati v. Basappa Lagamappa Giddagol (since deceased) by LRs*¹⁴ and *Ajit Kumar Gola v. State (GNCTD)*¹⁵ to submit that a party seeking condonation must clearly identify the period of delay and furnish a cogent explanation accounting for the entirety of that period. This he submitted had clearly not been done in the present case. He thus submitted that the present Application be dismissed on this ground alone.

Submissions in Rejoinder

25.Mr. Bansal, in dealing with the contention that condonation of delay could not be sought out of abundant caution or, in the alternative, submitted that such contention was wholly misconceived and contrary to the well-established practice of this Court. He first placed reliance upon the decisions in *PSL Tex-Styles Pvt. v. Union of India*,¹⁶ *Lalita Dhanraj Jadhav v. State of Maharashtra*,¹⁷ and *Jose Antonio Damaciano Laticia Dias Mendes v. Mahadeo Laxman Nagzarkar*¹⁸ to point out that in all of these cases the main prayer was for a declaration that the proceeding in

¹⁴Order dated 8th December 2017 passed by Karnataka High Court in Misc First Appeal NO.25018/2011.

¹⁵ 2026 SCC OnLine Del 1398.

¹⁶ (2019) SCC OnLine Bom 13426.

¹⁷ 2021 (2) Mh LJ 263.

¹⁸ 2025 SCC OnLine Bom 5661.

question was within limitation, and the alternate prayer sought condonation of delay. He submitted that in each of these cases, despite the alternate prayer for condonation, the Court held that the proceeding in question was filed within time.

26. He also placed reliance upon the decisions in *Ramesh Bhimrao Patil v. Mohan Daji Mali*,¹⁹ *Borivli Education Society v. CIT*,²⁰ *Ahmad Ali Hodekar v. Ruksanabegam Ahmad Hodekar*,²¹ in which he pointed out that delay was condoned notwithstanding the fact that condonation had been sought in the alternative or by way of abundant caution. He therefore submitted that the Respondent's contention that condonation of delay cannot be sought by way of abundant caution or, in the alternative, was wholly without merit. He also placed reliance upon the decision of the Hon'ble Supreme Court in *Ganesh Prasad v. Rajeshwar Prasad*²² to point out that it was well settled that a party is always entitled to raise alternative, and even inconsistent, pleas.

27. Mr. Bansal then submitted that the Delhi High Court in the case of *Ajit*

¹⁹ 2006 SCC OnLine Bom 937.

²⁰ (2025) SCC OnLine Bom 1871.

²¹ (2025) SCC OnLine Bom 1046.

²² 2023 SCC OnLine SC 256.

Kumar Gola did not lay down that condonation of delay could never be sought in the alternative but merely held that in the facts of that particular case, the Petitioner had failed to establish either its primary or its alternative case. As regards the decision of the Karnataka High Court in **Kempawa**, he submitted that the view taken therein did not represent the correct position in law, having regard to the weight of authority of this Court which permitted a prayer for condonation of delay to be taken in the alternative and the decision of the Hon'ble Supreme Court in **Ganesh Prasad**.

28.Mr. Bansal then placed reliance upon the decision of the Hon'ble Supreme Court in the case of **Sesh Nath Singh v. Baidyabati Sheoraphuli Co-operative Bank Ltd.**²³ to point out that a formal application seeking condonation of delay was not, in law, an indispensable prerequisite where sufficient cause was otherwise borne out from the material on record.

29.He submitted that the Respondent's contention raised for the first time in arguments, i.e., that the period of limitation commenced on 31st October 2016, was contrary to the very case pleaded by the Respondent in paragraph 5 of the Affidavit in Reply. He submitted that it was plainly dishonest for

²³ (2021) 7 SCC 313.

the Respondent to contend that the right to apply in the facts of the present case had accrued to the Petitioner on 31st October 2016. He also pointed out that as per the Award on Liability for Costs dated 8th September 2015, it was the Respondent who was to bear 90% of the Petitioner's costs, and that the said Award also directed the Respondent to bear the costs associated with that Award.

30. He therefore submitted that it was incumbent upon the Respondent to have made the requisite payment, which the Respondent had not done. He submitted that, since the Respondent had failed to do so, the Petitioner ultimately made the payment of GBP 5300, and the Tribunal transmitted the Award to the Petitioner on 5th January 2017. In these circumstances, he submitted that it was plainly dishonest for the Respondent to seek to gain an advantage from its own failure to discharge the obligation cast upon it.

31. He submitted that the Petitioner did not dispute that the law laid down by the Hon'ble Supreme Court in *Vedanta* was declaratory in nature. He, however, clarified that the Petitioner had not acted under any ignorance or misunderstanding of the law and reiterated that the delay, if any, arose from

a lack of clarity at the relevant time regarding the applicable period of limitation for enforcing foreign awards. He therefore submitted that the Petitioner had, by way of abundant caution, sought an alternative prayer for condonation of delay. He submitted that the decision of the Hon'ble Supreme Court in the case of **Sitaram Ramcharan** would not assist the Respondent since the Hon'ble Supreme Court had expressly left open the question whether ignorance of law could, in an appropriate case, constitute sufficient cause.

32.Mr. Bansal also submitted that the Respondent's contention that the Petitioner was not entitled to the benefit of the COVID-19 exclusion merely because the ordinary three-year period of limitation had expired on 5th January 2020 was contrary to the decision of the Hon'ble Supreme Court in **Aditya Khaitan v. IL&FS**.²⁴ He submitted that the said decision extended the benefit of the COVID-19 exclusion even to cases where the prescribed period of limitation had already expired prior to 15th March 2020.

33.He therefore concluded by submitting that there was absolutely no merit in the opposition to the present Application and that the same ought to be

²⁴ (2023) 9 SCC 570.

allowed in terms of prayer clause (a) or, then, in the alternative, prayer clause (b).

34. Having heard Learned Counsel for the parties and considering the peculiar facts of the present case, as well as the decision of the Hon'ble Supreme Court in ***Government of India v. Vedanta Limited***, I find as follows, viz.

A. I find no merit in the Respondent's preliminary objection that the Petitioner cannot, in the alternative, seek condonation of delay. As held by the Hon'ble Supreme Court in ***Ganesh Prasad v. Rajeshwar Prasad***, it is open to a party to raise alternative pleas, even where such pleas may be mutually inconsistent. Also and crucially, this Court has, in several cases²⁵ where condonation of delay was sought in the alternative or by way of abundant caution, held that there was, in fact, no delay in some cases and in others granted the alternate prayer of condonation of delay.

²⁵ *PSI Tex-Styles Pvt. Ltd v. Union of India*; *Lalita Dhanraj Jadhav v. State of Maharashtra*; *Ramesh Bhimrao Patil v. Mohan Daji Mali*; *Jose Antonio Damaciano v. Mahadeo Laxman Nagzarkar*; *Borivli Education Society v. CIT*; *Dayanand L. Naik v. VASCO Urban Co-operative Credit Society*; *Ahmad Ali Hodekar v. Ruksanabegam Ahmad Hodekar*; *Prakash Varik v. Chairman, Shivnery Co-operative Housing Society*; and *United Builders v. Hemal Khanderia*.

B. Hence, for the reasons set out in (A), I find that the Respondent's reliance upon *Kempawa @ Champavati v. Basappa Lagamappa Giddagol* and *Ajit Kumar Gola v. State (GNCTD)* does not assist the Respondent, since neither decision lays down, as an absolute proposition of law, that a prayer for condonation of delay cannot be sought for in the alternative or by way of abundant caution. In the facts of the present case, I find that the Petitioner's reliance on the decision of the Hon'ble Supreme Court in *Sesh Nath Singh* is entirely apposite, since it lays down that even the absence of a formal application for condonation is not, by itself, determinative where sufficient cause is otherwise made out.

C. It is not in dispute that, prior to the decision of the Hon'ble Supreme Court in *Vedanta*, there was a lack of clarity and a divergence of judicial opinion regarding the period of limitation applicable to the enforcement of foreign awards. In paragraphs 61.1 to 61.3 of *Vedanta*, the Hon'ble Supreme Court expressly took note of this divergence of decisions and held that the enforcement petition in that case had, in

fact, been filed within the prescribed period of limitation. Nevertheless, in paragraph 78, the Hon'ble Supreme Court went on to observe that, in any event, the lack of clarity with regard to the applicable period for enforcement of foreign awards, which itself constituted sufficient grounds for condoning the delay, had any such delay existed. Significantly, the Petitioner in that case also made the prayer for condonation of delay in the alternative.

D. In the present case also, admittedly, on the date when the said Award was passed, the decision of this Court in *Imax Corporation v. E-City Entertainment (India) Pvt. Ltd.*, subsequently held that the period of limitation for the enforcement of a foreign award was twelve years. This position subsisted until the decision of the Hon'ble Supreme Court in *Vedanta*. Therefore, the Petitioner is correct in submitting that any delay was due to the lack of clarity in the law at the time regarding the applicable period of limitation for the enforcement of a foreign award and not due to ignorance or misunderstanding of the

law. In these facts, to deprive the Petitioner of its right to seek enforcement of the foreign award would be wholly unconscionable.

E. Even accepting that the Petitioner's right to apply accrued on 5th January 2017, I find that the Petitioner has made out a case for condonation of the delay. Given the lack of clarity regarding the period of limitation applicable to the enforcement of a foreign award, which was finally resolved on 16th September 2020, when the Hon'ble Supreme Court delivered its decision in *Vedanta*, the Petitioner is entitled to condonation of the delay for the period from 5th January 2017 to 16th September 2020.

F. As regards the period from 16th September 2020 to 18th June 2021, the same would also have to be excluded in light of the order passed by the Hon'ble Supreme Court in *Re: Cognizance for Extension of Limitation*, and the reasons specifically set out in paragraphs 8(b) to 8(f) of the Interim Application, which in my view constitute sufficient cause for why the Petitioner did not institute the present proceedings earlier. In this context, the Petitioner's reliance upon the decision of

the Hon'ble Supreme Court in *Aditya Khaitan* is apposite. In that case, although the prescribed period of limitation had expired prior to 15th March 2020, the Hon'ble Supreme Court nevertheless held that, while considering the question of delay, the period commencing from 15th March 2020 was required to be excluded in terms of the orders passed in *Re: Cognizance for Extension of Limitation*.

G. The Respondent, though not pleaded, argued that the Petitioner's right to apply accrued on 31st October 2016. This contention in the facts of the present case is thoroughly untenable. Firstly, it is the Respondent's own pleaded case in the Reply that the right to apply accrued on 5th January 2017, when the Petitioner received a copy of the Award, and not on 31st October 2016. Secondly, and more importantly, the obligation to pay the costs was that of the Respondent, which the Respondent failed to discharge. The Respondent therefore cannot be permitted to take advantage of its own default by contending that limitation commenced on 31st October 2016. However, even accepting

that time commenced on 31st October 2016, this would make no difference for the reasons set out in (E) above.

H. Finally, for the reasons recorded in (C) and (D), the decisions in *Lily Thomas* and *Sarwan Kumar*, upon which the Respondent placed reliance, would have no application to the facts of the present case. Equally, the decision in *Sitaram Ramcharam* does not lay down, in absolute terms, that an error or mistake of law can never constitute sufficient cause. In any event, as already noted, the delay in the present case is attributable to the lack of clarity regarding the limitation period applicable to the enforcement of a foreign award and not to any ignorance of, or mistake regarding, the law on the part of the Petitioner. The Respondent's reliance on *Shivamma (Dead) by LRs v. Karnataka Housing Board*, *Basawaraj v. Special Land Acquisition Officer*, *P.K. Ramachandran v. State of Kerala*, *Lanka Venkateswarlu v. State of A.P.* and *Thirunagalingam v. Lingeswaran* would also not apply in the facts of the present case since, as already noted, the Petitioner has demonstrated sufficient cause for the delay.

35. Hence, in accordance with the reasons set out in (A) to (H), I pass the following Order:

- i. The Interim Application is allowed in terms of prayer clause (b).
- ii. The Interim Application is accordingly disposed of.

[ARIF S. DOCTOR, J]