

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ARBITRATION APPLICATION NO.15 OF 2014
WITH
ARBITRATION APPLICATION NO.16 OF 2014

M/s Gurunanak Industries Now
GNI Infrastructure Pvt. Ltd.,

APPLICANT

VERSUS

The Secretary, Water Resources
Development, Mantralaya, Mumbai & others

RESPONDENTS

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Mr. P. R. Katneshwakar, Advocate for the applicant
Mr. D. R. Korde, AGP for respondent State
Mr. B. R. Survase, Advocate for respondent No.2

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 18th JANUARY, 2016

ORDER :

1. *Pursis* have been filed by the applicant referring to the contentions in the same, as appearing in paragraphs No.2 and 3, seeking leave to withdraw arbitration applications with liberty to file civil suits by taking benefit of section 14 of the Limitation Act.

2. Mr. Survase, learned advocate appearing on behalf of respondent No.2 submits that he may not have any objection for withdrawal of the applications, however, benefit or otherwise of

the provision referred to in the *pursis* will have to be taken into account in accordance with law and facts.

3. As such, arbitration applications stand disposed of as withdrawn with liberty to file suits, however, leaving it open for the parties to take up all the factual and legal contentions. The civil courts where the suits would be filed shall consider the contentions about application of section 14 of the Limitation Act on its own merits.

[SUNIL P. DESHMUKH, J.]

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