

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

ARBITRATION APPLICATION NO. 13 OF 2014

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

.. Applicant

versus

The State of Maharashtra and another

.. Respondents

Mr. Prashant R. Katneshwarkar, Advocate for applicant

Mr. S. N. Kendre, Assistant Government Pleader for respondents

CORAM : SUNIL P. DESHMUKH, J.

DATE : 25TH APRIL, 2016

ORDER :

1. Learned Counsel for applicant submits that arbitration clauses in present arbitration application are same as involved in arbitration applications no. 15 of 2014 and 16 of 2014 and seeks leave to withdraw present arbitration application with liberty to file civil suit by taking benefit of section 14 of the Limitation Act. For the purpose, he refers to orders passed earlier on 18-02-2016 in arbitration applications no. 15 of 2014 and 16 of 2014.

2. Learned Assistant Government Pleader is not in a position to dispute nor in a position to concede.

3. As such, leave granted. Arbitration application stands disposed of as withdrawn with liberty to file suit as prayed for,

however, leaving it open for the parties to take up all the factual and legal contentions. The civil court where the suit would be filed shall consider the contentions about application of section 14 of the Limitation Act on its own merits.

SUNIL P. DESHMUKH,
JUDGE

pnd