

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

**WRIT PETITION NO. 359 OF 2016**

M/s. V. M. Matere Infrastructures India  
Pvt. Ltd. through its Director Vishnu  
Mahadev Matere .. Petitioner

**Versus**

The State of Maharashtra and others .. Respondents

Shri Milind K. Deshpande, Advocate for the Petitioner.  
Shri S. S. Dande, A.G.P. for the Respondent No. 1.  
Shri D. P. Bakshi, Advocate for Respondent Nos. 2 to 6.

**CORAM : S. V. GANGAPURWALA AND  
K. K. SONAWANE, JJ.**

**DATE : 11TH APRIL, 2016.**

**PER COURT :**

. We have heard the learned counsel for respective parties.  
The prayers made in the present petition cannot be considered by  
this Court.

2. Mr. Deshpande, the learned counsel for the petitioner relies  
on clause 20 (f) of the additional conditions and submits that the  
appointment of arbitrator is specifically excluded. However, if  
any dispute arises, the decision is to be given by Member  
Secretary (Technical). The learned counsel submits that, the  
petitioner has already filed application / representation with the

respondent No. 2 / Member Secretary on 09.07.2015.

3. Mr. Bakshi, the learned counsel appears for respondent Nos. 2 to 6. The respondent No. 2 is represented by Member Secretary (Technical).

4. Considering the above, the respondent No. 2 i. e. the Member Secretary (Technical) shall pass appropriate orders on the application filed by the petitioner dated 09.07.2015 (Exh. AR) on its own merits, expeditiously and preferably within six (6) months from today. The petitioner is at liberty to take such steps as is permissible in law. All contentions of the petitioner as well as respondents in that regard are kept open. The writ petition is disposed of. No costs.

**[ K. K. SONAWANE, J. ]**

**[ S. V. GANGAPURWALA, J. ]**

bsb/April 16