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

ARBITRATION APPLICATION NO. 10 of 2016

M/s. Jaikumar Fulchand Ajmera

...PETITIONERS

VERSUS

The State of Maharashtra and others

...RESPONDENTS.

Mr Uday S. Malte, Advocate for petitioner.

Mr C.V. Dharurkar, Asstt. Govt. Pleader for respondents No. 1 to 3.

CORAM : NITIN W. SAMBRE, J.

DATE :12th September, 2017

ORAL ORDER :

The applicant is a party to the Arbitration proceedings pending before the learned Divisional Commissioner pursuant to contract entered into between petitioner and the State Government in relation to the transportation of food-grains.

2. By this application, the petitioner is seeking the change of the Arbitrator from Divisional Commissioner, Aurangabad, to some other

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authority, particularly, in view of the fact that there is delay in deciding Arbitration Proceedings, and in view of the fact that the Arbitrator has direct control over the execution of the contract in question.

3. The change in the Arbitrator, in my opinion, merely on the aforesaid issue, is not permissible, particularly, when he has already agreed and submitted to the jurisdiction of the Divisional Commissioner as an Arbitrator.

4. The learned Assistant Government Pleader, upon instructions, has made a categorical statement that the Arbitrator shall make every endeavour to decide Arbitration Proceedings, within a period of six months from today.

5. In view of above, in my opinion, no interference is warranted. The application fails and stands rejected.

(NITIN W. SAMBRE, J.)

pjm