

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CIVIL APPLICATION NO.27 of 2019  
IN  
ARBITRATION APPEAL (Stamp) No.28420 of 2018**

M/s.DM Corporation Pvt.Ltd .. Applicant

In the matter between

M/s.DM Corporation Pvt.Ltd .. Appellant

Versus

The State of Maharashtra & ors .. Respondents

...

Mr. Yuvraj Narvankar for the applicant.

Mr.N.N. Singh for respondent no.5.

**CORAM: PRADEEP NANDRAJOG, C.J.  
AND BHARATI DANGRE, J.**

**DATED : 4<sup>th</sup> SEPTEMBER, 2019**

**P.C:-**

1           While disposing of the Appeal, we had noted that the two litigating parties had nominated an arbitrator each and that the two arbitrators were not agreeing on a common name for the presiding Arbitrator to be appointed and thus, we had directed that as per the arbitration clause the appellant could approach the Indian Council of Arbitration.

2           Vide Application no.27 of 2019, the appellant wants to withdraw the arbitrator nominated by the appellant for the reason the appellant and contesting respondent have agreed that the arbitrator nominated by the contesting respondent would be the sole arbitrator.

3           Accordingly, Application is disposed of in terms of prayer clause (a).

**SMT. BHARATI DANGRE, J**

**CHIEF JUSTICE**