

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

1 ARBITRATION APPLICATION NO.26 OF 2019

LAXMAN BABURAO MALI
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NATED AND OTHER

AND

2 ARBITRATION APPLICATION NO.27 OF 2019

BHARAT BABURAO MALI ALIAS KSHIRSAGAR
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NATED AND OTHER

AND

3 ARBITRATION APPLICATION NO.28 OF 2019

RAMACHARYA PRALHADCHARYA JEVALIKAR
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NATED AND OTHER

AND

4 ARBITRATION APPLICATION NO.29 OF 2019

BHARAT NARHARI SHINDE
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NATED AND OTHER

AND

5 ARBITRATION APPLICATION NO.39 OF 2019

RAMA BABURAO MALI
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NATED AND OTHER

AND
6 ARBITRATION APPLICATION NO.40 OF 2019

VASANT BABURAO KSHIRSAGAR
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NADED AND OTHER

AND
7 ARBITRATION APPLICATION NO.41 OF 2019

KALIDAS BABURAO MALI
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NADED AND OTHER

AND
8 ARBITRATION APPLICATION NO.42 OF 2019

SHAMKANT HANUMANT JAVALIKAR AND OTHER
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NADED AND OTHER

AND
9 ARBITRATION APPLICATION NO.43 OF 2019

MANOHAR DASRAO KALE
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NADED AND OTHER

AND
10 ARBITRATION APPLICATION NO.44 OF 2019

BALAJI BABURAO MALI ALIAS KSHIRSAGAR
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NADED AND OTHER

AND
11 ARBITRATION APPLICATION NO.2 OF 2020

VISHVAMBHAR KISAN PAWAR
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NANDED AND OTHER

AND
12 ARBITRATION APPLICATION NO.3 OF 2020

SHATGRUGHNA BABURAO MALI ALIAS KSHIRSAGAR
VERSUS
THE PROJECT DIRECTOR, NATIONAL HIGHWAY AUTHORITY OF
INDIA, NADED AND OTHER

...
Advocate for Applicants : Mr. M. B. Kolpe h/f
Mr. V. B. Deshmukh
Advocate for Respondent no.2 : Mr. R. B. Bhosale and
Mr. A. B. Dhongade, in respective matters

...
CORAM : AVINASH G. GHAROTE, J.
DATED : 9th JULY, 2021.

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PER COURT :

1. Mr. M. B. Kolpe, holding for Mr. V. B. Deshmukh, submits that the above matters are identical, to Arbitration Application No.1 of 2019 decided on 07/07/2021. Mr. Bhosale and Mr. Dhongade, learned counsel for the respondents agree to the same, which position has been accepted in their replies in para no.3, which are taken on record.

2. I have already held, in Arbitration Application 01 of

2019, that since these matters, challenge the award passed by the arbitrator under Section 3-G(5) of the National Highways Act, 1956 and Arbitration and Conciliation Act, 1996, is applicable and thus the proceedings under Section 34 shall lie before the District Judge, Osmanabad.

3. The present matters are also identical, in view of which the registry is therefore directed to transmit these matters to the Court of District Judge, Osmanabad, who upon receipt of the matters, shall register them appropriately. The parties to appear before the District Judge, Osmanabad on 09th August, 2021, before which date, the Registry shall ensure transmission of the record in the present proceedings to the office of the District Judge, Osmanabad.

(AVINASH G. GHAROTE, J.)

vsm/-