

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7219 OF 2019

CHAMPALAL BHERULAL JAIN

VERSUS

THE UNION OF INDIA AND OTHERS

Advocate for Petitioner : Mr. P.N. Sonpethakar
Advocate for Respondent Nos. 1 to 7 : Mr. A.G. Talhar
AGP for Respondent No. 2 : Mrs. M.A. Deshpande
Advocate for Respondent No. 5 : Mr. M.V. Kini

CORAM : A.S. GADKARI & S.G. MEHARE, JJ.
DATE : 14TH FEBRUARY, 2022.

P. C. :-

1] Learned counsel for respondent No.5 raised an objection and submitted that, under sub-section (5) of Section 3(g) of the National Highways Act, 1956, a remedy of Arbitral Tribunal appointed by the Central Government is available to the petitioner. He submitted that the said Authority will adjudicate the issues raised in the present petition, being disputed questions of fact.

2] In view thereof, learned counsel for the petitioner seeks leave to withdraw present petition with liberty to approach the Competent Authority established under Section 3(g)(5) of the National Highways Act.

Leave and liberty granted.

3] Writ petition is disposed of as withdrawn with aforesaid leave and liberty.

4] It is needless to mention that, the present petition is

disposed of on the basis of an objection raised by the learned counsel for respondent No.5 and this Court has not adjudicated the issues involved in present petition.

4] Contentions of all parties are expressly kept open to be raised before the said Competent Authority.

[S.G. MEHARE]
JUDGE

[A.S. GADKARI]
JUDGE.

grt/-