

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

908 WRIT PETITION NO.10810 OF 2021

**SUNIL SAHEBRAO PATIL
VERSUS
THE UNION OF INDIA AND OTHERS**

...

Advocate for Petitioner : Mr. More Kumar Gaurav M.
AGP for Respondents : Mr. S.B. Pulkundwar
Advocate for Respondent Nos.1, 2 & 4 : Mr. A.N. Patale

**WITH
966 WRIT PETITION NO.14603 OF 2021
WITH WP/14970/2021 WITH WP/14740/2021 WITH
WP/14665/2021 WITH WP/14661/2021 WITH WP/14961/2021**

**JAVED AHAMMAD HAJI MOHAMMAD SHABAN
VERSUS
THE UNION OF INDIA AND OTHERS**

...

Advocate for Petitioner : Mr. More Kumar Gaurav M.
AGP for Respondents : Mr. S.R. Yadav-Lonikar
Advocate for Respondent Nos.1 & 4 in WP/14961/2021 : Mr. A.N.
Patale

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**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 02nd MARCH, 2022

PER COURT:-

1. By these petitions, the petitioners pray that the award of the arbitrator be executed by the High Court.
2. Section 36 (1) of the Arbitration and Conciliation Act, 1996, reads as under:-

“36. (1) Where the time for making an application to set aside

the arbitral award under section 34 has expired, then, subject to the provisions of sub-section (2), such award shall be enforced in accordance with the provisions of the Code of Civil Procedure, 1908 (5 of 1908), in the same manner as if it were a decree of the court.”

3. The petitioners are praying for exercise of our extraordinary jurisdiction by issuing the writ of mandamus when Section 36 (1) is a statutory remedy for seeking execution of the award.

4. In view of the above, all these petitions are disposed off with liberty to the petitioners to avail of the remedy under Section 36 (1).

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)