

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 9675 OF 2022**

Chandrakant Vishnu Kulkarni
And Others

... Petitioner

VERSUS

The Union of India Through
it's Secretary And Others

..Respondents

.....
Advocate for the petitioner : Mr. Y. K. Bobade
AGP for Respondent State : Mr. P. K. Lakhotiya
Advocate for respondent No.3 : Mr. R. R. Bangar
Advocate for respondent No.4 : Mr. M.D. Narwadkar
.....

**CORAM : RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, J.**

DATE : 11.10.2022

PER COURT :-

1. The petitioners have put forth prayer clause 'B' as under :-

(B) *By issuing Writ of mandamus or any other Writ, order or direction in the nature of mandamus, the Respondent No.3- District Collector, Beed and Arbitrator for NH-211 may kindly be directed to decide the Arbitration Application No. 359/2016 pending on his file, expeditiously and as per the mandate of Section 29-A of the Arbitration Application No. 369 of 2016.*

2. The Project Director, Project Implementation Unit Aurangabad, National Highways Authority of India, Shri. Arvind Rambhau Kale has filed an affidavit dated 2nd September, 2022 stating therein that there are several such arbitration matters pending before the arbitrator who is also the District Collector. All these matters pertain to the National Highways Authority of India. He submits that there are thousands of cases which are pending adjudication.

3. The learned A.G.P submits that he had a personal talk with the District Collector Beed, who is the Arbitrator in the present case. He is informed that recently, on 08.10.2022, the Secretary Revenue and Secretary Public Transport, State of Maharashtra convened a meeting of various District Collectors who are arbitrators, including the representatives of the National Highways Authority of India. It was agreed that old matters would be expedited by the arbitrators and an attempt would be made to deal with the pending, about 25, 000/- such cases in the State of Maharashtra. The learned AGP clarifies that he is yet to receive any written instructions on this count and he has received this oral information since he had talk with the District Collector in the lunch recess.

4. In view of the above, we find that in the present case, time could be granted to the arbitrator till February 2023, keeping in view that there are several cases pending and the arbitrator is also discharging the duties of a District Collector.

5. The learned Advocate for the petitioner submits that if a time frame is granted, the petitioners would be satisfied.

6. In view of the above, this petition is disposed off.

7. We would expect respondent No.3, to decide the pending arbitration application No. 359 of 2016, as expeditiously as possible and in any case on or before 28th February 2023. There would be no extension of time.

(SANJAY A. DESHMUKH)
JUDGE

(RAVINDRA V. GHUGE,)
JUDGE

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