

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

Commercial Arbitration Application No.208 OF 2021

R.J.Shah & Co., Ltd. & D.Thakkar Constructions
Pvt.Ltd.(JV) ..Applicant
Vs.
State of Maharashtra & Anr. ..Respondents

Mr.Rohaam J.Cama with Mr.Gobinda C.Mohanty i/b. M/s.Mohanty
& Associates, for the Applicant.

Mr.Dushyant Kumar, for Respondent Nos.1 and 2.

CORAM : G.S. KULKARNI, J.
DATE : JUNE 29, 2022.

PC.:

1. In view of the decision of the Division Bench of this Court in **M/s.MEP RGSL Toll Bridge Pvt.Ltd. Vs. Maharashtra State Road Development Corporation Ltd.**; [2021(4) Mh.L.J. 311], the prayer in the application for the parties to refer to arbitration on the basis of the Government Policy as contained in Circular dated 4 March 2017 would not be maintainable. The application is accordingly, dismissed, leaving the applicant to take recourse to appropriate proceedings.

2. Disposed of. No costs.

[G.S. KULKARNI, J.]