

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

44 WRIT PETITION NO.872 OF 2023

**SUHAS PETROLEUM AURANGABAD-AHMEDNAGAR ROAD
PAITHAN THROUGH PROPRIETOR
VERSUS
THE UNION OF INDIA AND OTHERS**

...
Advocate for Petitioner : Mr. S.R. Kedar h/f. Mr. D.H. Jadhavar
Advocate for Respondent No.1 : Mr. R.R. Bangar
Advocate for Respondent Nos.2 & 3 : Mr. A.P. Bhandari

...

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 25-01-2023

PER COURT :

. Writ petition has been filed for appointment of an arbitrator. The writ petition is misconceived. The arbitration petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 is required to be filed.

2. The learned counsel for the petitioner, on instructions, seeks permission to withdraw the writ petition with liberty to the petitioner to file the appropriate application seeking appointment of arbitrator under the Arbitration and Conciliation Act, 1996.

3. Permission is granted. Writ petition is dismissed as withdrawn with liberty as prayed for.

(SHARMILA U. DESHMUKH, J.)