

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10575 OF 2023

M/s. Anant Dudh Pvt. Ltd.

Through its Manager

Sagar Kashinath Shelke

...Petitioner

Versus

M/s. Gayatri Cold Storage

through its authorised partner

Vijay Prakash Dhere & Anr.

...Respondents

Mr. A. Y. Sakhare, Senior Advocate i/b. Mr. Chetan G. Patil for the
Petitioner.

CORAM : MADHAV J. JAMDAR, J.

DATED : 28th AUGUST 2023

P.C. :

1. By the present Writ Petition, the challenge is to the legality and validity of notice dated 19th July 2023 issued by the learned District and Sessions Judge (Retired), Sole Arbitrator as well as order dated 26th July 2023 passed by the learned Sole Arbitrator.

2. Mr. Sakhare, learned Senior Counsel appearing for the Petitioner states that the Petitioner is not party to the agreement dated 1st September 2020 and therefore, the clause No.33 of the said agreement regarding arbitration will not apply to the Petitioner.

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3. Mr. Sakhare, learned Senior Counsel seeks withdrawal of the Writ Petition and further states that Petitioner will file appropriate application before the learned Sole Arbitrator seeking deletion of his name from the arbitration proceedings and seeking other reliefs, if required.

4. Mr. Sakhare, learned Senior Counsel states that next date before the learned Sole Arbitrator is 2nd September 2023. He states that on that day, appropriate application will be filed before the learned Sole Arbitrator.

5. Learned Sole Arbitrator is requested to dispose of such application, if filed, expeditiously.

6. Accordingly, the Writ Petition is allowed to be withdrawn and disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]