

Amol

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1563 OF 2023
IN
WRIT PETITION NO. 1261 OF 2021**

Ashok Mohanraj Chhajed ...Applicant
In the matter between
Shanklesha Construction & Ors ...Petitioners
Versus
Union of India, through the Income Tax ...Respondents
Department & Anr

**Mr Mayur Khandeparkar, with Ativ Patel, i/b AVP Partners, for the
Petitioners.**
An Advocate, i/b Ashok Saraogi for the Applicant.
Respondent appearance is not given.

**CORAM G.S. Patel &
Neela Gokhale, JJ.**
DATED: 17th July 2023

PC:-

1. The Interim Application dismisses itself. It is in the nature of application under Section 29A of the Arbitration and Conciliation Act 1996. It cannot be made before a Division Bench assigned the Writ Petitions, even a Division Bench assigned 'Writ Petitions not assigned to any other Court'. This is because it cannot be an

AMOL
PREMNATH
JADHAV

Digitally signed by
AMOL PREMNATH
JADHAV
Date: 2023.07.18
10:52:49 +0530

application in a Writ Petition at all, but must be made before the Arbitration Court. We also do not see how it can be made in a disposed Writ Petition.

2. The Interim Application is rejected with liberty to file appropriate proceedings in the arbitration Court.

(Neela Gokhale, J)

(G. S. Patel, J)