



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

**CIVIL APPLICATION NO. 449 OF 2024
IN WP/15205/2023**

**NATH RESORTS PVT LTD PAITHAN THROUGH ITS MANAGING
DIRECTOR AND ANOTHER**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. V. D. Salunke a/w Mr. Abhishek Patil, Advocates for Applicants

Mr. P. K. Lakhotiya, AGP for Respondent – State

Mr. A. R. Kawade, Advocate for M.T.D.C.

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 11.01.2024

PER COURT :-

1. The learned Advocate representing the M.T.D.C., on instructions from Shri Deepak Harane, Regional Manager, M.T.D.C., Aurangabad, submits that the physical possession of the property has already been taken over on 13.12.2023. Shri Salunke, the learned Advocate for the Applicants/Petitioners, vehemently denies the said contention, on instructions.

2. We do not wish to go into the disputed questions. The fact remains that the Petitioners have moved an application to the M.T.D.C., for initiation of Arbitration Proceedings. According to the Petitioners, a name has also been suggested.

3. The learned Advocate for the M.T.D.C. submits that within five days, the name of the Arbitrator would be settled by mutual consent.

4. Shri Salunke, the learned Advocate submits that he would be moving an application for interim orders.

5. In view of the above statements, **this Civil Application is disposed off.**

6. If the Petitioners make an application for interim orders, the same would be considered by following the due procedure laid down in law, by the Arbitrator, within 15 days.

7. As there are contradictory statements made, on request of the Petitioners, we direct status-quo to be maintained, on the request of Shri Salunke, for a further period of 15 days, as like the earlier order, or till the Arbitrator passes an order, whichever is earlier.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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