



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

WRIT PETITION NO.11110 OF 2024

Tirupati Pipe and Allied Industries
Pvt. Ltd., through its Executive Director
Omprakash Sitaram Agrawal & anr. ... **PETITIONERS**

VERSUS

Union of India & ors. ... **RESPONDENTS**

.....
Mr. A.P. Nahar, Advocate for petitioners
Mrs. S.N. Deshmukh, A.G.P. for State
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 8th OCTOBER, 2024

ORDER :

Learned Advocate for the petitioners submits that, he restricts the petition to the prayer for directions to the respondent No.3 to take decision on the application dated 22/9/2023. He submits that the provisions of Section 33 of the Arbitration and Conciliation Act, 1993 provides for mechanism for correction of the award within stipulated time. Other side has preferred application for setting aside the arbitration award under Section 34 of the said Act. He submits that, if the

application under Section 34 is finally decided, the Arbitrator will not be able to exercise the powers under Section 33 of the Act.

2. In view of the above submissions, without going into the merits of the case, we dispose of the petition by directing the concerned Arbitrator to decide the petitioners' application dated 22/9/2023 on its own merits after hearing the other side, within reasonable time.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-