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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 WRIT PETITION NO. 11727 OF 2025

The State of Maharashtra
Through Executive Engineer
Public Works Department AhilyanagarPetitioner

VERSUS

Ashoka Buildcon Limited
Formely Ashoka Info Pvt LtdRespondent

Mr. P. K. Lakhotiya, AGP for the State.
Mr. A. A. Yadkikar, Advocate for the Respondent.

WITH
944 WRIT PETITION NO. 11728 OF 2025

The State of Maharashtra
Through Executive Engineer
Public Works Department AhilyanagarPetitioner

VERSUS

Ashoka Buildcon Limited
Formely Ashoka Info Pvt LtdRespondent

Mr. P. K. Lakhotiya, AGP for the State.
Mr. A. A. Yadkikar, Advocate for the Respondent.

CORAM : R. M. JOSHI, J.
DATE : 17th OCTOBER, 2025.

PER COURT :

1. Learned counsel for both sides have drawn attention of the Court to the provisions of Section 10(3) of the Commercial Courts Act and submit that in the present case since the subject matter is a

commercial dispute, an Application under Section 34 of the Act ought to have been filed and entertained by the Commercial Court under the Act.

2. At this stage, learned counsel for both sides, on instructions, make a statement that instead of calling the parties to move appropriate proceeding, this Court may exercise its inherent powers and transfer the said proceeding to District Judge – 2, Ahilyanagar, which is a Court under the Commercial Courts Act.

3. In order to avoid further litigation and in the interest of justice, by consent of both sides and by exercising inherent powers of this Court, Arbitration Application Nos. 6/2017 and 14/2016 stand transferred from District Judge – 3, Ahilyanagar to District Judge -2, Ahilyanagar.

4. Considering the controversy between the parties and interim relief sought so also in view of the fact that Appeal is pending since 2017, it is expected that the Commercial Court hears the proceeding within a period of two months.

5. In view of above, both the Petitions stand disposed of.

(R. M. JOSHI)
Judge

dyb