



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

WRIT PETITION NO. 12926 OF 2024

Sanjay Limbaji Gapat

VERSUS

The Union Of India Through Deputy Secretary And Others

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Ms. M. A. Kulkarni, Advocate for the Petitioner

Mr. N. D. Raje, AGP for Respondents-State

Mr. R. B. Bagul, Advocate for Respondent nos.1 and 3

Mr. S. P. Urgunde, Advocate for Respondent no.4

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CORAM : ROHIT W. JOSHI, J.

DATED : 08TH AUGUST, 2025

ORDER :-

. The petitioner in the present matter had filed a proceeding under Section 34 of the Arbitration and Conciliation Act, 1996, being Miscellaneous Civil Application No.90 of 2024. Order issuing notice to the respondents came to be passed in the said proceeding on 15.06.2024. The notice of respondent no.1 could not be served and therefore, as per order sheet dated 01.08.2024, notice of unserved respondent no.1 is ordered to be awaited and the matter came to be adjourned to 29.08.2024. This order sheet dated 01.08.2024 is challenged in the present petition on the ground that respondent no.1 is not a necessary party. The respondent no.1

is arrayed as respondent by the petitioner himself. Notice in the matter was issued to the respondent no.1 at the behest of the petitioner. It is obvious that since the notice was served, the learned Court passed order to await notice. The order is an innocuous order, which does not affect any right of the petitioner.

2. Writ Petition is therefore dismissed.

3. At this stage, the learned Advocate for the petitioner seeks liberty to file application for deleting name of respondent no.1 in Miscellaneous Civil Application No.90 of 2024.

4. It will be open for the petitioner to file such application, which if filed, be decided in accordance with law.

(ROHIT W. JOSHI, J.)