

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.17686 OF 2024

Hariom Projects Pvt. Ltd.

...Petitioner

Versus

Union of India & Ors.

...Respondents

Mr. Sahil Dewani (through V.C.) a/w Mr. Sumit Khanna and Mr. Sachet Makhija i/b Dewani Associates for Petitioner.

Mr. Aniruddha A. Garge for Respondent Nos.1 to 5.

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**CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.**

DATE : 12 FEBRUARY 2025

P.C.:

1. This is a writ petition filed under Article 226 of the Constitution of India, praying for the following substantive relief :-

“(b) Direct the Respondent No.2 to constitute the Dispute Resolution Board (“DRB”) as required under Clause of the Special Conditions of the said Contract within a period of 30 days from the date of the order of this Hon’ble Court and decide the disputes expeditiously within 60 days from the date of constitution of DRB.”

2. Mr. Sahil Dewani, learned counsel appearing for the petitioner would submit that the petitioner is praying for the aforesaid limited relief. To this, he would add that subsequent to the filing of this petition, Dispute Resolution Board (“**DRB**” for short) has been constituted on 13 December 2024 under clause 41 of the special condition of the contract between the petitioner and the respondents.

3. Mr. Aniruddha A. Garge, learned Advocate for respondent nos. 1 to 5 has relied on the Affidavit of Maj T. Rakesh, Garrison Engineer (P) NDA Khadakwasla dated 11 February 2025 on behalf of the respondents, which is taken on record. The reply affidavit, in para-9, confirms the constitution of DRB, as stated above, the particulars of which are at Exhibit -A to the said reply affidavit.

4. With the assistance of leaned counsel for the parties, we have perused the record.

5. Considering the fact that the DRB is already constituted on 13 December 2024, in our view, the following order will meet the ends of justice.

: O R D E R :

- (i) The DRB shall hear the parties and will take a decision on the disputed claims of the petitioner on merits and in accordance with law, as expeditiously as possible, not later than within a period of eight weeks from the date this order is made available to the DRB/respondents.
- (ii) All contentions of the parties are expressly kept open.
- (iii) Petition is accordingly disposed of.
- (iv) No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]