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

WRIT PETITION NO. 6258 OF 2025

Ashok Ishwardas Gandhi

.. Petitioner

Versus

Kalyan Dombivali Municipal Corporation
& Anr.

.. Respondents

Mr. Aadil Parsurampuriah a/w Ms. Pragya i/by M/s. Legal Vision
for petitioner.

Mr. Sandeep D. Shinde for respondent nos.1 and 2.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: 18th JUNE, 2025

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P.C.:

1. In this writ petition, the petitioner, *inter alia*, has assailed the validity of the order dated 2nd May, 2025 by which the contract awarded to the petitioner has been terminated.

2. After arguing the matter to some extent, learned counsel for the petitioner fairly submits that the agreement executed between the parties contains an arbitration clause and the petitioner has an alternative remedy to raise his grievance in a proceeding before the arbitral tribunal. It is further submitted that the petition be disposed of with the liberty to take recourse to the arbitration proceeding as provided in the agreement.

3. In view of the aforesaid submissions and in view of the decision of the Supreme Court in ***ABL International & Anr. vs. Export Credit Guarantee Corporation of India Ltd. & Ors., (2004) 3 SCC 553***, we are inclined to permit the petitioner to take recourse to remedy of arbitration as provided under the agreement with regard to redressal of his grievance.

4. At this stage, learned counsel for the parties jointly submit that Mr. R. G. Ketkar, former Judge of this Court, be appointed as sole arbitrator to adjudicate the disputes between the parties.

5. In view of the aforesaid submission, we appoint Mr. R. G. Ketkar, former Judge of this Court as sole arbitrator to adjudicate the disputes between the parties. Parties under take to appear before the learned arbitrator along with copy of this order on 30th June, 2025 at 11.00 a.m.

6. Accordingly, the writ petition is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)