



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7299 OF 2025

M/s. Manisha Construction Co.Petitioner

Vs.

Ministry of Road Transport
and Highway & Ors.

.....Respondents

Mr. Anirudha Valsangkar with Mr. Omkar Nevgi & Mr. Prafulla Paranjape, for the Petitioner.

Mr. Vineet Bhansali, i/b. M/s. Cyril Amarchand Mangaldas, for Respondent Nos.1 & 2.

Ms. V. R. Raje, AGP for the Respondent-State.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 24th JUNE 2025.

P.C.:-

1. Learned counsel for the Respondent No.2 raises a preliminary objection with respect to the maintainability of the aforesaid Petition. He submits that as per the Agreement entered into between the parties, the Petitioner has an alternate efficacious remedy of getting the dispute resolved by conciliation/arbitration. Learned counsel relies on Article 26.2 and 26.3 of the said Agreement in support of the said submission.

2. In view of the preliminary objection raised by the learned

counsel for the Respondent No.2, learned counsel for the Petitioner, on instructions, seeks leave to withdraw the Petition, with liberty to pursue his remedies before the Conciliator/Arbitrator, as the case may be as per the Agreement.

3. The Petition is accordingly disposed of as withdrawn.

4. We make it clear that we have not gone into the merits of the Petition and as such, keep all contentions of all the parties on merits open.

5. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)