

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 262 OF 2024
WITH
INTERIM APPLICATION (L) NO. 32187 OF 2023
WITH
INTERIM APPLICATION (L) NO. 21282 OF 2024
IN
ARBITRATION PETITION NO. 262 OF 2024**

Public Works Department Government of ...Petitioner
Maharashtra National Highways

Versus

Khare And Tarkunde Infrastructure Pvt Ltd ...Respondent

**WITH
ARBITRATION PETITION NO. 264 OF 2024
WITH
INTERIM APPLICATION (L) NO. 32189 OF 2023
WITH
INTERIM APPLICATION (L) NO. 21288 OF 2024
IN
ARBITRATION PETITION NO. 264 OF 2024
WITH
ARBITRATION PETITION NO. 263 OF 2024
WITH
INTERIM APPLICATION (L) NO. 32188 OF 2023
WITH
INTERIM APPLICATION (L) NO. 21285 OF 2024**

IN
ARBITRATION PETITION NO. 263 OF 2024

Mr. Devang Vyas, Senior Advocate, a/w Amrut Joshi, Kajal Gupta, Yazad Udwadia, Shweta Singh, Sheelang Shah, S.D. Shetty, i/b M.V. Kini & Co., for the Petitioner.

Mr. Karl Tamboly, a/w Anoop Sharma, Vikas Goel, Rehaan Ajmerwala, Ujwala Kamat, Sumit Khanna, i/b Sarita D'lima, for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : MARCH 28, 2025

PC :

1. Arguments have concluded. Learned Senior Counsel on behalf of the Petitioner has liberty to file a short note specifically focusing on the applicability of the business efficacy test principles invoked by the Respondent, with specific regard to the facts of the case. Let the same be done no later than April 4, 2025. List under the caption “*For Directions*” on *April 4, 2025* on the *Supplementary Board*.

2. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[SOMASEKHAR SUNDARESAN, J.]