

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 WRIT PETITION NO. 606 OF 2026

M/s Mvv Satyanarayana Through Its Authorised Signatory Niel
Kakasaheb Patil

VERSUS

The General Manager Central Railway And Others

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Mr. Prasadrao VemulaPalli h/f Mr. A. A. Fulfagar - Advocate for the Petitioner

Mr. V. M. Kagne - AGP for State

Mr. Nitin S. Salunke - Advocate for Respondent Nos. 1 to 3

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CORAM : SMT. VIBHA KANKANWADI
AND
HITEN S. VENEGAVKAR, JJ.

DATED : 17TH FEBRUARY, 2026

PER COURT : -

1. Issue notice to the Respondents. Learned Advocate Mr. Nitin S. Salunke waives service of notice for Respondent Nos. 1 to 3. An affidavit-in-reply shall be filed on or before 7th March, 2026. A copy of the same shall be given to the other side in advance.
2. Place the matter for further consideration on 13th March, 2026, at 2:30 p.m.
3. We have heard Mr. Prasadrao Vemulapalli holding for Mr. A. A. Fulfagar for the Petitioner.
4. The Petitioner challenges the termination of the contract by Respondent No. 3 vide letter dated 13.11.2025, which, according to the

learned Advocate for the Petitioner, is pursuant to the termination notice dated 02.12.2025.

5. We have gone through the papers and direct the Petitioner to place on record the general conditions applicable to the contract on the record. Since there is an arbitration clause, the learned Advocate for the Petitioner relies upon the decision in *Union of India (UOI) and Ors. v. Tanti Construction Pvt. Ltd.*, (2011) 5 SCC 697, wherein the Hon'ble Apex Court has observed that the arbitration clause will not debar the exercise of power by the High Court. Similarly, he relies upon the decision in *A A Estate Private Limited through its Resolution Professional Harshad Shamkant Deshpande and Ors. v. Kher Nagar Sukhsadan Co-operative Housing Society Ltd. and Ors.*, MANU/SC/1605/2025, wherein the same observations have been reiterated. We keep the said points open in view of the fact that we must also hear the Respondents on these points.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE