



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

3 ARBITRATION APPEAL NO. 6 OF 2026

National Highways Authority Of India Through Its Project Director

VERSUS

Mahadeo Pandurang Dhere And Others

...

Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.1: Mr. Atul B. Hawale

Advocate for Respondents No.4 and 5 : Ms. Mayuri G. Kasturkar

...

WITH

CIVIL APPLICATION NO. 1851 OF 2026

IN ARBA/6/2026

...

AND

4 ARBITRATION APPEAL NO. 7 OF 2026

National Highways Authority Of India Through Its Project Director

VERSUS

Kashitnath Kisan Shinde And Others

...

Advocate for Appellant : Mr. Kulkarni h/f Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.5 : Mr. U. B. Bondar

Advocate for Respondent No.6 : Mr. S. W. Munde

...

WITH

CIVIL APPLICATION NO. 1852 OF 2026

IN ARBA/7/2026

...

AND

5 ARBITRATION APPEAL NO. 8 OF 2026

National Highways Authority Of India Through Its Project Director

VERSUS

Rajabhau Mahadeo Shinde And Others

...

Advocate for Appellant : Mr. Kulkarni h/f Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.1 : Mr. Atul B. Hawale

Advocate for Respondents No.2 and 3 : Mr. Rahul B. Bagul

...

WITH

CIVIL APPLICATION NO. 1853 OF 2026

IN ARBA/8/2026

...

AND

37 ARBITRATION APPEAL NO. 3 OF 2026

National Highways Authority Of India Through Its Project Director

VERSUS

Bhagubai Jayram Munne And Others

...
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao
Advocate for Respondents No.2 and 3: Mr. K. S. Solanke

...
WITH
CIVIL APPLICATION NO. 2594 OF 2026
IN ARBA/3/2026

WITH
CIVIL APPLICATION NO. 1796 OF 2026
IN ARBA/3/2026

...
WITH
ARBITRATION APPEAL NO. 4 OF 2026

National Highways Authority Of India Through Its Project Director
VERSUS
Noorbanu Mahmad Usaman Kureshi And Others

...
Advocate for Appellant : Mr. Kulkarni h/f Mr. Narwadkar Mrigesh Dinkarrao
Advocate for Respondent No.1 : Mr. Hawale Atul B.
Advocate for Respondents No.2 and 3 : Mr. Ravi R. Bangar

...
WITH
CIVIL APPLICATION NO. 1798 OF 2026
IN ARBA/4/2026

...
AND
ARBITRATION APPEAL NO. 88 OF 2026

National Highways Authority Of India Through Its Project Director
VERSUS
Bansidhar Pandurang Munne And Others

...
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao
Advocate for Respondents-CALA : Mr. S. W. Munde

...
WITH
CIVIL APPLICATION NO. 4705 OF 2026
IN ARBA/88/2026

...
AND
ARBITRATION APPEAL NO. 89 OF 2026

National Highways Authority Of India Through Its Project Director
VERSUS
Sakharam Shahadeo Shinde And Others

...
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao
Advocate for Respondents No.2 and 3 : Mr. Nandkishore U. Yadav

...
WITH
CIVIL APPLICATION NO. 4706 OF 2026
IN ARBA/89/2026

...
AND
ARBITRATION APPEAL NO. 90 OF 2026

National Highways Authority Of India Through Its Project Director
VERSUS
Baburao Kisan Shinde And Others

...
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao
Advocate for Respondents-CALA : Mr. S. W. Munde

...
WITH
CIVIL APPLICATION NO. 4707 OF 2026
IN ARBA/90/2026

CORAM : ARUN R. PEDNEKER, J.

Dated : April 20, 2026

PER COURT :

1. The learned Counsel appearing for the respondents submits that the matter was remanded by the District Court, Beed on account of failure to provide proper opportunity to the claimants to lead evidence. It is further submitted that, upon remand, enhanced compensation has been granted in certain cases. Considering the overall factual situation, it is urged that this

Court, in exercise of jurisdiction under Section 37 of the Arbitration and Conciliation Act, 1996, ought not to entertain the present appeals.

2. The learned Counsel for the petitioner submits that sufficient opportunity was given to the claimants to lead their case before the learned Arbitrator and, therefore, the Court exercising jurisdiction under Section 34 of the Arbitration and Conciliation Act ought not to have interfered with the Arbitral Award.

3. Perused the order passed by the learned Principal District Judge, Beed. After hearing the parties, the learned District Judge has quashed and set aside the Arbitral Award and remanded the matter for fresh adjudication. While remanding the matter, it has been observed that the Award is against the fundamental policy of Indian law, contrary to the basic notions of justice, and is patently illegal. It is further observed that the learned Arbitrator has discriminated between similarly situated persons.

4. On perusal of the order, it appears that the District Court examined the Roznama of the proceedings before the learned Arbitrator and found that the matter was listed on 04/02/2019 but was not taken up. A subsequent date was stated to have been granted, however, the Roznama for such date is missing, and thereafter, the Award appears to have been passed abruptly. The District Court has further observed that, upon detailed

examination, that the claimants were not given sufficient opportunity to present their case. It has been held that under Section 18, parties are required to be treated with equality and must be afforded a full opportunity to present their case.

5. Considering these aspects, the District Court has invoked its powers under Section 34 of the Arbitration and Conciliation Act. It has also taken into account that in other similar matters, enhanced compensation has been granted, and therefore, parity is required to be maintained among similarly situated claimants.

6. In view of the aforesaid, this Court is not inclined to interfere in the present appeals under Section 37 of the Arbitration and Conciliation Act. Hence, all the appeals are dismissed. Pending applications stand disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.