

**CIVIL MISC. APPLICATION No. 46/2026**

Shinde and Sons, Engineers and Contractors Through its Partner	.. Applicant
VERSUS	
Executive Director, GMIDC, Aurangabad	..Respondent

ORDER BELOW EXHIBIT - 1

(Passed on 20/07/2026)

1] This application is moved by the applicant/decree holder under Section 24 of the Code of Civil Procedure, 1908 for transfer of Arbitration R.D. No.23/2025 pending before the Court of District Judge-1, Parbhani to any other Court of same cadre for execution.

2] Perused the application. Heard both sides.

3] Advocate V.H.Kale for the applicant submitted that the applicant has filed Arbitration R.D. 23/2025 against the present respondent for recovery of the amount directed in award dated 07/03/2006 arising out of arbitral proceeding No. LCB-54/1990-1991 which is pending before the District Judge-1, Parbhani for final adjudication. The applicant is corporate litigant and its office is at Ahmednagar and he conducting the proceeding through his Advocate. The approach of the District Judge-1 is very pedantic and not taken into consideration fact that advocate for the applicant coming from Hon'ble High Court Bench at Aurangabad, the Court is trying to dispose of the matter as early as possible as

20/07/2026

Principal District Judge, Parbhani

per his whims and wish at least the Court is not giving fair opportunity to the applicant. The amount involved in the regular darkhast is very huge amount. As per the pleading it is mentioned that the District Judge-1 is not following guidelines of the Hon'ble Apex Court and misinterpreted the calculations and it seems that District Judge-1 is against the company and its affair, therefore, there is no any faith over the District Judge-1. Advocate for the petitioner submitted that the matter is for final adjudication kept on 21st July, 2026. It is requested to transfer Arbitration R.D. 23/2025 to any other suitable Court of the same cadre.

4] Advocate S.H.Tupsamundar on behalf of Adv. Shyam C. Arora for the respondent and Shri. Vivekanand Tedake, Executive Engineer, Majalgaon Canal, Division No.7, Gangakhed are present, both submitted that the judgment debtor has deposited ₹.120 Crore amount out of that amount applicant withdrawn ₹.70 Crore long back and as per the calculation ₹.33 Crores (approximately) needs to be withdrawn by the present respondent/decreed holder and remaining amount required to be paid by the judgment debtor. This calculation is already kept in the proceeding. The respondent prayed for dismissal of the application.

5] I have gone through the record, from the pleading of the application it appears that the applicant submitted he has no faith over the District Judge-1 and he had not given opportunity and the Court is trying to dispose

of the matter as per his whims and wish. District Judge-1 also not considering the fact that advocate for the decree holder is coming from the Hon'ble High Court Bench at Aurangabad. However, for this allegation no any document is supported, what was the reason for not having faith not mentioned, no any incident and on which date the opportunity was not given to decree holder is also not mentioned. The entire pleading and allegation appears to be vague.

6] It appears from the pleading that applicant is intends to prolong the matter. Calculation of amount is mathematical part, it can be corrected at any stage. The application appears to be frivolous and needs to be dismissed with costs. Hence, I pass the following order.

: ORDER :	
1]	Civil M.A. No.46/2026 is dismissed with cost of ₹.10,000/- (Rupees Ten Thousands Only) which should be deposited with the District Legal Services Authority, Parbhani within 7 days.
2]	Copy of this order be sent to the District Legal Services Authority, Parbhani and District Judge-1, Parbhani for information.

Parbhani
Date- 20/07/2026.

(**R.M.Sadrani**)
Principal District Judge,
Parbhani.

Civil M.A. No.46/2026	-4-	(O/Exh.1)
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<u>CERTIFICATE</u>		
I affirm that, the contents of this P.D.F. file Order are same, word to word, as per the original order.		
Name of Stenographer		S.S.Shirale, Steno
Court		District Court, Parbhani
Date of order		20/07/2026
Order signed by the Presiding Officer on		20/07/2026
Order uploaded on		20/07/2026