

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.7293/2004

(From the judgement and order dated 17/12/2003 in FA 1037/03
of The HIGH COURT OF JUDICATURE OF BOMBAY AT AURANGABAD)

M/S. AKASH CONSTRUCTIONS

Petitioner (s)

VERSUS

CHIEF EXECUTIVE OFFICER & ORS. Respondent (s)
(With Appln(s). for exemption from filing c/c of the impugned
Judgment and exemption from filing O.T. and permission to place addl.
documents on record and with prayer for interim relief and
office report)

WITH

SLP @...CC No. 3841/2004
(With appln. for c/delay in refiling SLP)

Date : 23/04/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)

Mr. Shivaji M. Jadhav,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

In our view the authority in the case of Mallikarjun v. Gulbarga University reported in 2003 (9) SCALE 596 has no application to a clause like Clause 30 of this contract. In our view the High Court has correctly held that there is no arbitration agreement in this case. We see no reason to interfere. The Special Leave Petitions are dismissed.

Anita

(Jasbir Singh)
Court Master