

(2018) 08 CHH CK 0298

Chhattisgarh High Court

Case No: Writ Petition (C) No. 2384 Of 2018

Barbrik Projects Limited

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Aug. 27, 2018

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Abhishek Vinod Deshmukh, PK Bhaduri

Final Decision: Dismissed

Judgement

Prashant Kumar Mishra, J

1. Learned State Counsel would submit, at the very outset, that there being disputed questions of fact and the amount to which the petitioner is entitled being not admitted by the respondent, the writ petition is not maintainable.

2. Having gone through the writ petition, it appears, bulk of documents have been filed showing various terms and clauses of the contract within which construction of the subject work was to be executed. Whether or not the petitioner is entitled to certain amount cannot be ascertained without the dispute being raised before the competent forum i.e. the Arbitration Tribunal. Therefore, the Writ Petition is dismissed as not maintainable, reserving liberty in favour of the petitioner to move before the CG Arbitration Tribunal.