

Court No. - 2

Case :- WRIT - C No. - 11002 of 2024

Petitioner :- M/S B.K. Traders Thru. Proprietor Brijesh Kumar Trivedi

Respondent :- State Of U.P. Thru. Secy. Deptt. Of Nagar Viks Lko And 3 Others

Counsel for Petitioner :- Sunil Kumar Mishra, Atul Kumar Chauhan

Counsel for Respondent :- C.S.C., Namit Sharma

Hon'ble Rajan Roy, J.

Hon'ble Brij Raj Singh, J.

1. Shri Mohit Nigam, Advocate has filed his vakalatnama on behalf of the opposite party no. 2. The same is taken on record.
2. Heard learned counsel for the petitioner, learned Additional Chief Standing Counsel for the State and Shri Mohit Nigam, learned counsel for the opposite party no. 2.
3. The petitioner entered into agreement with the Nagar Nigam, Lucknow on 15.07.2015 for a period of 15 years, as claimed.
4. Now, the Nagar Nigam, Lucknow is acting in violation thereof, as alleged. If it is so, then, the remedy is not under Article 226 of the Constitution of India. If the petitioner says that there is no Arbitration Clause in the agreement, then, he can avail the remedy before the Civil Court.
5. The writ petition is **dismissed** with aforesaid liberty as far as it may be permissible in law and as far as there may be a cause.

(Brij Raj Singh, J.) (Rajan Roy, J.)

Order Date :- 19.12.2024

R.K.P.