

Court No. - 2

Case :- WRIT - C No. - 10917 of 2024

Petitioner :- M/S Siyaram Yadav Contractor Thru. Its Proprietor Siyaram

Respondent :- State Of U.P. Thru. Prin. Secy. Public Works Deptt. And 3 Others

Counsel for Petitioner :- Nijam Ahamad

Counsel for Respondent :- C.S.C.,Ninnie Shrivastava

Hon'ble Rajan Roy,J.

Hon'ble Brij Raj Singh,J.

1. Heard.

2. This is second writ petition based on the same cause of action, the first writ petition bearing Writ C No. 3349 of 2024 was disposed of on 19.04.2024 in the following terms:

"(1) Heard the learned counsel for the petitioner and the learned Standing counsel who appears for the Opposite party no.1 and Ms. Ninnie Shrivastava, who appears for the private respondent.

(2) In pursuance of the order dated 12.04.2024 Ms. Ninnie Shrivastava, has informed this Court that the Table that has been annexed at Page no.25 of the paper book, a SIT Enquiry has been instituted. The petitioner has prayed for his dues in this petition, is disputed by the respondents.

(3) This Court sitting in its extra-ordinary jurisdiction cannot look into disputed questions of fact.

(4) The writ petition is finally disposed of with a direction to the petitioner to approach the Competent Court for redressal of his grievance."

3. Merely because subsequently it has come to the knowledge of the petitioner that the SIT inquiry is only in respect of two of the works and not for all the works performed by the petitioner would not be a ground for filing a fresh writ petition though it may be a ground for seeking review of the earlier order.

4. The writ petition is ***dismissed*** as not maintainable with liberty aforesaid as far as it may be permissible.

[Brij Raj Singh, J.] [Rajan Roy, J.]

Order Date :- 20.12.2024

Santosh/-