

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1538 of 2015

M/s Om Construction, Aanwari, Through Its Partner Ram Singh Sinha, S/o Late Ramlal Sinha, Aged About 70 Years, R/o Village Aanwari, Post And Police Station Charama, District Kanker Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh
2. The Managing Director, Chhattisgarh State Agriculture Marketing Board, Headquarter, In Front Of Chhattisgarh Hotel, G.E. Road, Ravigram, Telibandha, Raipur Chhattisgarh
3. The Superintending Engineer, Chhattisgarh State Agriculture Marketing (Mandi), Board, Beej Bhawan, G.E. Road, Telibandha, Raipur Chhattisgarh
4. The Executive Engineer, Chhattisgarh State Agriculture Marketing Board, Internal Office, Jagdalpur, District Bastar Chhattisgarh

---- Respondents

For Petitioner	:	Shri D.N. Prajapati, Advocate
For Respondent/State	:	Shri R.K. Gupta, Dy.A.G.

Order On Board

31/08/2015

Heard.

1. Grievance of the petitioner raised through this petition is that though the petitioner claims to have completed the work of construction, till date, damage towards the contractual obligations have not been paid to the petitioner despite repeated representation.
2. I find that a letter has been issued to the petitioner on 8.3.2013 rejecting petitioner's claim for payment of various amounts. Irrespective of whether these amounts are legally made out or not, the proper course of action for the petitioner in such an event is to file a suit for recovery as claimed by it. The representation having been rejected on 8.3.2013, the other remedy is still open for the petitioner.
3. The petition is accordingly dismissed with liberty to file civil suit.

Sd/-

(Manindra Mohan Shrivastava)

Judge