

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.15193 of 2015
Date of decision:28.7.2015

M/s A.A. Bala Sar Associates

....Petitioner

VERSUS

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Gautam Dhiman, Advocate for the petitioner.

HEMANT GUPTA, J.(Oral)

The grievance of the petitioner is in respect of termination of construction contract awarded to it vide order dated 22.09.2014. The petitioner earlier filed a Civil Suit challenging the termination of contract but such suit was withdrawn on 02.07.2015. Thereafter, the present petition has been filed.

Whether contract has been rightly terminated or not are the disputed questions of fact which can be appropriately decided through a dispute settlement mechanism entered between the parties at the time of awarding of contract i.e. through Arbitration.

In view of the said fact, we do not find any reason to interfere in the extra-ordinary writ jurisdiction of this Court in respect of matters arising out of breach of contract.

Similar issue has been examined by this Court in CWP No.911 of 2015 titled M/s Agros Impex (I) Pvt. Ltd. and others v. State of Punjab and another, decided on 09.07.2015.

Consequently, the present writ petition is dismissed with liberty to avail the contractual alternative remedy.

(HEMANT GUPTA)
JUDGE

JULY 28, 2015
'D. Gulati'

(LISA GILL)
JUDGE