

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.21029 of 2015

Date of decision:01.10.2015

M/s Das Builders Pvt. Ltd.

... Petitioner

v.

Union of India & others

... Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. HNS Gill, Advocate for the petitioner.

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE.

The petitioner has challenged an order dated 21.09.2015 by which it was granted 48 hours notice to commence work, to make good the progress of work, failing which the respondents stated that the contract would stand rescinded, the work would be carried out independently, the security deposited would be forfeited and the performance guarantee would be encashed.

2. There are disputed questions of fact as regards the execution of a works contract entered into between the petitioner and the respondents on 04.01.2014. The work was to be completed within 12 months. The time for completion of work was extended three times.

3. The respondents contend that the progress was not satisfactory. The petitioner on the other hand contends that clearance in respect of a substantial part of the contract was given only on 23.04.2015.

4. It is not possible in this petition under Article 226 of the

Constitution of India to consider the disputed questions of fact. The petitioner must adopt appropriate proceeding in such matter.

The Writ Petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

01.10.2015
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