

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

LPA No. 1351 of 2015

DATE OF DECISION : 16.09.2015

M/s Anil Kumar Contractors, Bathinda

.... APPELLANT

Versus

The State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. Manmohan Singh, Senior Advocate, with
Mr. Rajesh Sethi, Advocate,
for the appellant.

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SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 16.07.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 14020 of 2015) filed by the appellant was disposed of with liberty to the appellant firm to file civil suit for recovery of part of the amount, alleged to have been due to it.

As per the averments made by the appellant itself in the writ petition, undisputedly, the appellant has executed part of the work of the Government, for which payment in part has been made to it. For the remaining amount due for work done, the aforesaid writ petition was filed seeking direction to the respondents to make payment.

After hearing learned counsel for the appellant, we are of the

opinion that the learned Single Judge has rightly not entertained the writ petition, as many disputed questions of facts are involved and the appellant has effective remedy under the ordinary law of the land by filing civil suit for recovery or to invoke arbitration proceedings as per the clause of arbitration in the agreement. Thus, we do not find any ground to interfere with the impugned order passed by the learned Single Judge.

No merit. Dismissed.

**(SATISH KUMAR MITTAL)
JUDGE**

September 16, 2015
ndj

**(MAHAVIR S. CHAUHAN)
JUDGE**