

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 830 of 2016

M/s Dutta Engineering Works Through Its Partner Shri Babhani Kumar Dutta, Aged About 58 Years, S/o Late G.R. Dutta, Occupation Business, 19-K, Heavy Industrial Area, Hothkoj, Bhilai, District Durg (Chhattisgarh), Civil & Revenue District Durg, (Chhattisgarh)

---- Petitioner

Versus

1. Union Of India Through Its Secretary, Department Of Steel, Udyog Bhawan, Dr.Maulana Azad Road, New Delhi 110011
2. The General Manager, (Project), Pkg. 064, Steel Authority Of India Ltd. Bhilai Steel Plant, Bhilai, Police Station Supela, Tahsil & District Durg Chhattisgarh, Civil & Revenue Distgrict Durg Chhattisgarh
3. Chairman & Managing Director, M/s Engineering Projects (India) Ltd. (A govt. Of India Enterprises) Core 3, Scope Complex, 7 Institutional Area Lodhi Road, New Delhi, 110003
4. General Manager, M/s Engineering Projects (India) Ltd. (A Govt. Of India Enterprises) B 252, Street No. 5, Smriti Nagar Bhiali, Police Station Supela, Tahsil & District Durg Chhattisgarh Civil & Revenue District Durg Chhattisgarh

---- Respondents

Shri Ratnesh Kumar Agrawal, counsel for the petitioner/s.
Ms. Purnima Singh, and Shri P.R.Patankar, counsel for respective respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/04/2016

Learned counsel for the petitioner submits that though the petitioner has completed work under the work order awarded to him, outstanding payment to the tune of Rs.95,82,845/- has been withheld arbitrarily.

Learned counsel for respondents submit that there are certain dispute and the petitioner has already filed a petition before this Court challenging encashment of bank guarantee.

It appears that the matter relating to payment of outstanding dues is under dispute. The petitioner has already filed a petition i.e. WPC No.586/16.

In the given circumstances, the dispute with regard to claim of monetary payment may not be gone into in this petition under Article 226 of the Constitution of India. The petition is accordingly dismissed.

The respondent may, by speaking order inform the petitioner the reasons for non-payment. Any amount which is not paid to the petitioner and disputed, may give the petitioner a cause of action to seek recovery in a properly constituted civil proceedings.

Sd/-

(Manindra Mohan Shrivastava)
Judge