

**THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.21418 OF 2016**

**ORDER:**

Letter No.DB/ATO/MC/194M dated 28.04.2016 of the third respondent addressed to the petitioner terminating the agreement is challenged in this writ petition.

It is the case of the petitioner that the second respondent is the competent authority either to award or terminate the contract whereas in this case termination has been effected by the 3<sup>rd</sup> respondent, who is incompetent to do so. Learned counsel for the petitioner submits that even in an earlier occasion, a similar termination was effected and the termination has resulted in huge loss to the petitioner. He further submits that termination itself is illegal as the procedure prescribed has not been followed.

Learned Government Pleader opposes the writ petition.

Considering the nature of dispute, even assuming that termination of the contract has not been done in accordance with the terms of agreement, the relation between the petitioner and respondents being contractual, the contractual disputes are required to be adjudicated and agitated before proper Civil Court.

In that view of the matter, I am not inclined to entertain the writ petition. However, liberty is given to the petitioner to seek redressal of his grievance, including the relief of damages, before appropriate jurisdictional Civil Court.

Accordingly, the Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions pending in the Writ Petition, if any, shall

stand closed.

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***Challa Kodanda Ram, J***

5<sup>th</sup> July, 2016.  
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