

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.2090 OF 2016

ORDER:

Heard learned counsel for the petitioner and Sri V.Ravinder Rao, learned Standing counsel for the respondents.

The petitioner questions the order dated 19.03.2015-Ex.P.1 passed by the 1st respondent on various grounds including the one that the respondents themselves have certified that Clause 12.4 will not apply to the petitioner.

However, the aforesaid impugned order is passed as per the directions issued by this Court in W.P.No.5601 of 2015, dated 06.03.2015, and if the petitioner is aggrieved by the said order, the agreement itself provides a mechanism for resolution of the said dispute under Clause 28.2, which is for the settlement of disputes.

Hence, the remedy is available to the petitioner under the Arbitration and Conciliation Act, 1996. Therefore, it is neither just nor appropriate to invoke the jurisdiction of this Court to entertain this writ petition. All contentions raised by the petitioner in this writ petition are kept open for adjudication before the arbitrator.

In view of the above, the writ petition is disposed of with liberty to the petitioner to avail the said remedy.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed. There shall be no order as to costs.

VILAS V.AFZULPURKAR, J

27.01.2016

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