

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 10140 of 2013 (O&M)
Date of decision: 21.1.2016

Ramesh Rathee

.. Petitioner

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Vivek Goyal, Advocate for the petitioner.
Mr. Rajesh Gaur, Addl. Advocate General, Haryana.
Mr. Kamal Sehgal, Advocate for respondents No. 3 and 4.

...

Rajesh Bindal J.

The petitioner approached this court directing the respondents to refund the tender amount for the proportionate period, as the petitioner was allowed to run the amusement activity at Surajkund Crafts Mela for a period of one month, whereas the Crafts Mela continued only for two weeks.

At the out-set, learned counsel for the respondents raised a preliminary objection that in the terms and conditions settled for setting up of amusement activity at Surajkund Crafts Mela, there is an arbitration clause. The petitioner should have invoked the same.

Learned counsel for the petitioner submitted that in view of the objection raised by learned counsel for the respondents, he may be permitted to withdraw the present petition with liberty to avail of remedy of arbitration in view of the terms and conditions in the contract.

Ordered accordingly.

(Rajesh Bindal)
Judge

21.1.2016
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