

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.495 of 2016
Date of Decision:-1.4.2016.

Khadi Ashram G.T. Road Panipat

.....Appellant

Versus

Khadi & Village Industries Commission and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. R.K. Sharma, Advocate for the appellant.

SURYA KANT, J. (ORAL)

The appellant's writ petition has been dismissed by learned Single Judge vide impugned order dated 29.2.2016 observing that since the issues of rights and liabilities arising out of a tripartite agreement between the appellant, Khadi & Village Industries Commission and respondent No.2 as are involved in this case, cannot be resolved in writ jurisdiction, the appellant should avail appropriate alternative remedy.

We have heard learned counsel for the appellant.

In view of the fact that 'Commercial Courts' are being set up in the States of Haryana and the nature of dispute involved in the

instant case, *prima facie*, falls within the ambit of 'commercial dispute', we are of the considered view that the appellant may institute appropriate proceeding keeping in view the legislative mandate of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015. There is every likelihood that the controversy raised in the instant case will be adjudicated more expeditiously than the writ proceedings. We, thus, dispose of this appeal with liberty to the appellant to institute such proceedings, with a further direction that the Court of competent jurisdiction shall decide the same expeditiously and within the time frame given under the Statute.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

April 1, 2016.

sandeep sethi