

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.687 of 2017**

Gurucharan Singh S/o Late Shri Amar Singh, Aged About 64 Years
R/o Sonar Para, District Rajnandgaon, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Public Health Engineering, Government Of Chhattisgarh, Manatralaya, Mahanadi Bhawan New Raipur, Chhattisgarh.
2. Executive Engineer, Public Health Engineering, Sub Division Ambagarh Chowki, District Rajnandgaon, Chhattisgarh.

--- Respondents

For Petitioner	:	Mr. Prasoon Agrawal, Advocate
For State	:	Mr. Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

19/09/2017

(1) Learned counsel appearing for the petitioner would submit that the Chhattisgarh Madhyastham Adikaran, Raipur (hereinafter referred to as 'Tribunal') by its impugned order dated 01.08.2017 has allowed the application filed by the respondents under Section 12 of the Chhattisgarh Madhyastham Adhikaran Adhiniyam, 1983 and directed for measurement of the work in question by the Commission, but omitted to direct that it be done in the presence of the petitioner.

(2) On the other hand, learned counsel appearing for the State would oppose the submission made by the learned counsel for the petitioner.

(3) I have heard learned counsel for the parties and perused the impugned order.

(4) From the impugned order, it appears that the measurement of the work in question has to be done by the Commission appointed by the Tribunal. Since the petitioner is a party to the dispute, therefore, it is directed that such measurement of the work in question shall be done by the Commission so appointed in the presence of the parties or their representatives as the case may be.

(5) With the aforesaid observation, the writ petition stands finally disposed of.

(6) Certified copy today.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-