

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 796 of 2018**

M/s Amar Infrastructure Limited (Formerly Amar Builders) Near Jain Palace,
G.E. Road, Pulgaon, Durg, Tahsil And District Durg, Chhattisgarh,
Represented By Mr. Narendra Rathi S/o. Shri Lalchand Rathi, Aged About
45 Years, R/o. Mahesh Colony, Durg, Tahsil And District Durg, Chhattisgarh.,
District : Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, New Secretariat, Mahanadi Bhawan, Naya Raipur, Raipur, Tahsil And District Raipur Chhattisgarh.
2. Chief Executive Officer, Chhattisgarh Rural Road Development Agency, Vikas Bhawan, Civil Lines, Raipur, Tahsil And District Raipur Chhattisgarh.
3. Superintending Engineer, Chhattisgarh Rural Road Development Agency, Project Implementation Unit, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Executive Engineer-Cum-Member Secretary, Project Implementation Unit No. 2, Pradhanmantri Gram Sadak Yojana, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rajkamal Singh, Advocate.
For Respondents/State	:	Mr. Arun Sao, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/04/2018**

1. Learned counsel appearing for the petitioner would submit that appropriate direction be issued directing the respondents to settle the work agreement under Clause-55 of the concerned work agreement as it has been settled and decided in other similarly situated contractors by the order passed by respondent No. 3 vide Annexure-P/6 dated 28.09.2017.

2. Mr. Arun Sao, learned counsel for the respondent State appearing on advance copy would submit that petitioner's work contract was terminated on 20.03.2009 against which he had filed a Reference Case No. 06/2012 which has been rejected by the Chhattisgarh Madhyastham Adhikaran, Raipur vide order dated 07.02.2017 and, therefore, petitioner's remedy is to challenge that order in accordance with law and no directions can be issued.
3. I have heard learned counsel for the parties, perused the award impugned and gone through the records with utmost circumspection.
4. Admittedly, petitioner's said contract was terminated on 20.03.2009 which he challenged before the Chhattisgarh Madhyastham Adhikaran in Reference Case No. 06/2012 (*M/s Amar Infrastructure Limited v. State of Chhattisgarh & Others*) and which was dismissed by award dated 07.02.2017, therefore, petitioner's remedy is to challenge that order before the revisional Court and no direction can be issued in the writ petition.
6. Accordingly, the writ petition deserves to be and is hereby dismissed. No order as to cost(s).

SD/-
(Sanjay K. Agrawal)
Judge