

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2384 of 2018**

- Barbrik Projects Limited A-24, Ashoka Millennium, Ring Road No. 1, New Rajendra Nagar, Raipur, District- Raipur, 492001, Chhattisgarh. Having Registered Office At PRA House, Nehru Park Road, Surajpur-497229, District Surajpur, Chhattisgarh. Through Its Director, Rajesh Agrawal, S/o Shri Pralahad Rai Agrawal, Aged About 52 Years.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh.
2. Chhattisgarh Rural Road Development Agency Through Its Chief Executive Officer, Having Office At Chhattisgarh Rural Road Development Agency, Civil Lines, Raipur
3. Chief Engineer Chhattisgarh Rural Road Development Agency, Civil Lines Raipur
4. Superintending Engineer Chhattisgarh Rural Road Development Agency, Project Circle No. 1, Ambikapur, District- Surguja, Chhattisgarh.
5. Executive Engineer Cum-Member Secretary Chhattisgarh Rural Road Development Agency, Project Circle No. 1, Ambikapur, District- Surguja, Chhattisgarh.
6. Assistant Engineer Chhattisgarh Rural Road Development Agency, Project Circle No. 1 Ambikapur, District- Surguja, Chhattisgarh.

---- Respondent

For Petitioner : Shri Abhishek Vinod Deshmukh, Advocate.
For Respondent/State : Shri PK Bhaduri, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board**27/08/2018**

1. Learned State Counsel would submit, at the very outset, that there being disputed questions of fact and the amount to which the petitioner is entitled being not admitted by the respondent, the writ petition is not maintainable.
2. Having gone through the writ petition, it appears, bulk of documents have been filed showing various terms and clauses of the contract within which construction of the subject work was to be executed. Whether or not the petitioner is entitled to certain amount cannot be ascertained without the dispute being raised before the competent forum i.e. the Arbitration Tribunal. Therefore, the Writ Petition is dismissed as not maintainable, reserving liberty in favour of the petitioner to move before the CG Arbitration Tribunal.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve