

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No. 2718 of 2018

M/s Mallikarjun Construction Company Raipur, Through Its Partner Shri N.C. Reddy, Aged About 60 Years, S/o Bodi Reddy, R/o Gudhyari, Raipur, Tehsil And District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Public Works Department, Mantralaya, Naya Raipur, Tehsil, Revenue And Civil District Raipur Chhattisgarh.
2. Superintending Engineer Public Works Department, Bridge Construction Division, Raipur, Tehsil Revenue And Civil, District Raipur Chhattisgarh.
3. Executive Engineer Public Work Department, Bridge Construction Division, Raipur, Tehsil, Revenue And Civil, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	: Shri Rupesh Shrivastava, Advocate.
For Respondent/State	: Shri Prasun Bhaduri, Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

26/10/2018

Per Ajay Kumar Tripathi, Chief Justice

1. After some arguments, the Court is willing to allow the Petitioner to move the Arbitration Tribunal on the dispute whether it was a structural change which had been carried out by the Contractor, for which no payment was required to be made in terms of the agreement or it was extra work which the Contractor had done.
2. It goes without saying that if the Petitioner approaches the Tribunal in question, the matter will be decided on merits and priority.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE