

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP-22881-2018 (O&M)

Date of decision:- 10.09.2018

Sunil Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE ARUN PALLI**

Present:- Mr. Ajay Kamboj, Advocate,  
for the petitioner.

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**KRISHNA MURARI, C.J. (ORAL)**

Petitioner has approached this Court seeking a writ of certiorari to set aside the impugned order dated 29.08.2018 passed by respondent No. 3 - Municipal Council, Sirsa cancelling his contract for lifting and disposal of carcass of dead animals.

2. Admittedly, for non-compliance of the terms and conditions of the agreement for lifting dead animals within the limits of the Municipal Council, Sirsa, the tender has been cancelled by the order impugned in this writ petition.

3. The terms and conditions of the contract contains a stipulation that in case of any dispute of any kind the Deputy Commissioner shall be the arbitrator to decide the same.

4. From the pleadings, we find that the petitioner has already approached the Deputy Commissioner, Sirsa by making an application/representation dated 30.08.2018.

5. Since the petitioner has a remedy under the terms of the contract and he has availed the same by making the

application/representation, we deem it appropriate to dispose of the petition by commanding respondent No. 2 - Deputy Commissioner, Sirsa to consider the application/representation dated 30.08.2018 made by the petitioner and decide the same in accordance with law by passing a reasoned speaking order after notice and opportunity of hearing to all the stake holders within a period of two weeks from the receipt of certified copy of this order.

(KRISHNA MURARI)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

10.09.2018  
Anodh

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |