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**\*IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 890/2018 & CM Nos.3775-76/2018

RRC CONSTRUCTION LINK (JV) & ANR.... Petitioners

Through : Mr. Bhavesh Kumar Sharma and  
Mr. Sudarshan, Advs.

versus

NATIONAL COMMISSION FOR SCHEDULE TRIBE

THROUGH ITS VICE CHAIRMEN, & ORS... Respondents

Through : None.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**ORDER**

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**31.01.2018**

**CM No.3776/2018 (Exemption)**

- 1) Allowed, subject to just exceptions.
- 2) The application stands disposed of.

**W.P.(C) 890/2018 & CM No.3775/2018**

3) According to learned counsel for the petitioners, a commercial dispute obtained between them and respondent no.2, i.e., Shri Khajan Singh. It is the submission of the learned counsel that the directives issued by the respondent no.1, i.e., National Commission for Schedule Tribe (in short "Commission") are without jurisdiction.

3.1) Learned counsel for the petitioners, however, concedes that Contractor Anil Jetley, who is the partner of petitioner no.1 did not appear before the respondent no.1 despite notice.

3.2) It is submitted by learned counsel for the petitioners that the sub-contract dated 10.09.2014 executed between petitioner no.2 and respondent no.2 was, thus, not placed before the Commission. Learned counsel says that as per this agreement, a mechanism for resolution of

dispute via arbitration was available which ought to have been taken recourse to by respondent no.2.

4) My attention in this regard has also been drawn to Clause – 11 of the said agreement. Having regard to the submission made, I have put to learned counsel for the petitioners as to whether they would like to approach respondent no.1 once again so that these facts could be placed on record.

4.1) Counsel for the petitioners says that he would approach the respondent no.1 and place the entirety of facts including the fact that aforementioned agreement obtained between the petitioner no.2 and respondent no.2 for resolution of disputes.

5) Accordingly, the writ petition and pending application are dismissed as withdrawn, as prayed, giving liberty to the petitioner to approach respondent no.1 for recall of its direction contained in the impugned minutes dated 13.11.2017 and 17.11.2017.

6) Dasti.

**RAJIV SHAKDHER, J**

**JANUARY 31, 2018**

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